

FINAL COPIES

STANDARD WASTE TIRE PERMIT RENEWAL APPLICATION

ENVIRONMENTAL INDUSTRIES RECYCLING, INC.
AGENCY INTEREST NO. AI 15435
SITE IDENTIFICATION NO. RP-121-4545
PERMIT NO. RP-0261
WEST BATON ROUGE PARISH, LOUISIANA

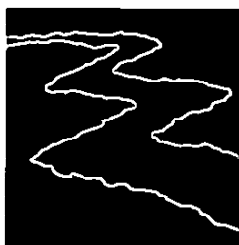
Prepared For:

**Environmental
Industries
Recycling,
Inc.**



APRIL 2008

Prepared By:



TURNER
SM ENVIRONMENTAL

TURNER ENVIRONMENTAL, INC.
7918 Wrenwood Blvd, Suite C • Baton Rouge, Louisiana 70809
TEL (225) 926-4300 • FAX (225) 926-4360
www.teius.com

Document Transmittal



TURNER
ENVIRONMENTAL

7918 Wrenwood Boulevard, Suite C
Baton Rouge, LA 70809
(225) 926-4300 (225) 926-4360 fax

To: Mr. Bijan Sharafkhani, P.E. **From:** Jon Fourrier, P.E.
Company: LDEQ/OES/Waste Permits Div. **e-mail:** jonfourrier@teius.com
Date: April 22, 2008 **cc:**
Re: Permit Application – Final Copies **TEI Job No.:** EIR-001

● **Transmitted herewith are:**

| No. Copies | Description |
|------------|---------------------------------------|
| 5 | EIR Permit Application – Final Copies |
| | |
| | |

These are being transmitted:

- ☐ As Requested ☐ For Your Use
☐ For Processing and Payment ☒ For Review and Comment

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| Remarks: | |
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TURNER ENVIRONMENTAL, INC.

By: *Jon Fourrier*

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LDEQ



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MAIN FILE

April 22, 2008

original to IOSW

Sm
copy to SW/G3/Thomas

Louisiana Department of Environmental Quality
Office of Environmental Services
Waste Permits Division
P.O. Box 4313
Baton Rouge, Louisiana 70821-4313

PAAR

PER2000 0001

LDEQ RECEIPT
2008 APR 22 PM 2 18

Attention: Mr. Bijan Sharafkhani, P.E., Administrator

Re: Final Copies
Standard Waste Tire Permit Renewal Application
Environmental Industries Recycling, Inc.
West Baton Rouge Parish, Louisiana
✓ AI 15435/RP-121-4545/RP-0261

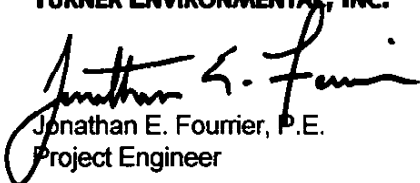
Dear Mr. Sharafkhani:

On behalf of Mr. Buddy Dupuy, owner of Environmental Industries Recycling, Inc. (EIR), Turner Environmental, Inc. hereby submits five (5) sets of the Final Copies of EIR's Standard Waste Tire Permit Renewal Application for your review. This document contains the original permit renewal application with all revisions associated with the Notice of Deficiency (NOD) responses incorporated. In addition, figures and exhibits from the original permit renewal application and those added in response to NODs are also attached.

If you have any questions, or if you need any additional information, please do not hesitate to give me a call at (225) 926-4300 Ext: 21.

Very truly yours,

TURNER ENVIRONMENTAL, INC.


Jonathan E. Fourier, P.E.
Project Engineer

JEF

c: Mr. Buddy Dupuy (EIR) with attachments

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APR 22 2008

LDEQ

TABLE OF CONTENTS

PERMIT APPLICATION.....STANDARD WASTE TIRE PERMIT RENEWAL APPLICATION

PART III.....ADDITIONAL SUPPLEMENTARY INFORMATION

EXHIBITS

FIGURES

LIST OF EXHIBITS

| | |
|-------------------|--|
| Exhibit 1 | West Baton Rouge Parish Letter of Notification |
| Exhibit 2 | West Baton Rouge Parish Letter of Approbation |
| Exhibit 3 | West Baton Rouge Parish Assessor Parcel Listing for Environmental Industries Recycling, Inc. Property |
| Exhibit 4 | Proof of Publication of Public Notice |
| Exhibit 5 | Louisiana State Fire Marshal Publication of Inspection Report |
| Exhibit 6 | Rosehill Volunteer Fire Department Letter of Notification |
| Exhibit 7 | Buffer Zone Exemption and Transfer of Ownership Letters |
| Exhibit 8 | Fire Equipment and Maintenance, Inc. Letter of Notification |
| Exhibit 9 | Evidence of Liability Insurance Coverage |
| Exhibit 10 | Waste Tire Material Storage Pile Documentation |
| Exhibit 11 | Waste Tire and Waste Tire Material Storage Capacity Calculations |
| Exhibit 12 | Evidence of Financial Assurance for Closure Costs |

LIST OF FIGURES

| | |
|-----------------|---|
| Figure 1 | Site Master Plan |
| Figure 2 | Aerial Photograph |
| Figure 3 | Drainage Plan |
| Figure 4 | Buffer Zone Map |
| Figure 5 | Office and Storage Building Floor Plan |
| Figure 6 | Processing Building Floor Plan |

PERMIT APPLICATION
STANDARD WASTE TIRE PERMIT RENEWAL APPLICATION

Standard Waste Tire Permit Renewal Application

(The form shall be completed in accordance with the instructions found in LAC 33:VII.10517)

Each applicant requesting a standard permit in accordance with these regulations shall complete the permit application, including, but not limited to, the information included in this Section and submit it to the Office of Environmental Services, Permits Division.

10517.A. Processing Facility. The permit application shall include:

- 1. the name of the applicant;**

Environmental Industries Recycling, Inc. (EIR)

- 2. the name and phone number of the owner/contact;**

Buddy Dupuy (225) 344-8298

- 3. the business address including city, state, parish & zip code;**

P. O. Box 1194
Port Allen, LA 70767
West Baton Rouge Parish

- 4. the location of the processing facility, including section, township, and range;**

Location: 7122 Hwy 190 West, Port Allen, LA 70767
Section: 60
Township: 6-S
Range: 11-E

Access is obtained via Nolan David Rd off N. River Road, Port Allen, LA.

- 5. the business telephone number;**

(225) 344-8298

- 6. the federal identification number and state tax identification number;**

Federal Tax ID 72-1304096
State Tax ID 8556961001-71

- 7. the name, address and phone number of a contact person in case of an emergency, other than the individual specified in Paragraph A.2 of this Section;**

Marjorie B. Pino, Office Manager
7122 Hwy 190 West
Port Allen, LA 70767
Home (225) 275-0513
Work (225) 344-8298

LAC 33:VII

STANDARD WASTE TIRE PERMIT
RENEWAL APPLICATION

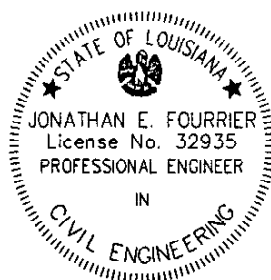
10517.A.

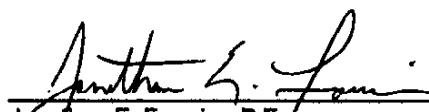
8. a certification in writing that all the information provided in the application and in accordance with the application is true and correct. Providing false or incorrect information may result in criminal or civil enforcement. The applicant shall also provide the site master plan, including property lines, buildings, facilities, excavations, drainage, roads and other elements of the process system employed, certified by a registered engineer licensed in the state of Louisiana;

PERMIT APPLICATION CERTIFICATIONS

"I certify under penalty of law that I have personally examined and I am familiar with the information submitted in this permit application and that the facility as described in this permit application meets the requirements of the solid waste rules and regulations. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine and imprisonment."


Buddy Dupuy, President
Environmental Industries Recycling, Inc.




Jonathan E. Fourrier, P.E.
Turner Enviromental, Inc.

9. a copy of written notification to the appropriate local governing authority, stating that the site is to continue to be used as a waste tire processing facility;

Enclosed as Exhibit 1 is an updated letter of notification to West Baton Rouge Parish President stating that the site will continue to be used as a waste tire processing facility.

10. written documentation from the appropriate local governing authority, stating that the facility is in compliance with local zoning and permitting requirements;

Enclosed as Exhibit 2 is an updated letter from the West Baton Rouge Parish President stating that the facility is in compliance with local zoning and permitting requirements.

11. written documentation from the property owner granting approval for use of property as a waste tire processing facility, if property owner is other than the applicant;

The property owner is the applicant. The parcel listing showing EIR is the property owner was obtained from the West Baton Rouge Assessor's office and is enclosed as Exhibit 3.

12. proof of publication of Notice of Intent to submit an application for a standard waste tire permit;

Enclosed as Exhibit 4 is the proof of publication of Notice of Intent to submit a renewal application for EIR's Standard Waste Tire Permit. The Notice of Intent was published in *The Advocate* and *West Side Journal*.

13. a letter of compliance and certification of premises and buildings from the state fire marshal;

Enclosed as Exhibit 5 is a letter to Louisiana State Fire Marshal's office regarding compliance and certification of the premises and buildings. Also enclosed as Exhibit 5 is an inspection report from the Louisiana State Fire Marshal's office assuring compliance and providing certification of the premises and buildings at EIR's facility.

EIR will not permit open burning on the facility premises.

EIR has entered into a written agreement with the local fire department regarding fire protection at the facility. Copies of the letters to and from Rosehill Volunteer Fire Department regarding the said agreement are enclosed as Exhibit 6.

EIR has an up to date fire protection and safety plan for the facility to ensure personnel protection and to minimize impact to the environment.

14. An operational plan addressing the following:

- a. facility access and security;

As shown on Figure 1, ingress and egress to and from the site occurs through a 20' gate, which in conjunction with the perimeter fencing and ditches, serves as security for the facility and prohibits unauthorized access. The gate is closed and locked when the facility is not open, and is monitored when the facility is open. Also, deep/wide Parish ditches and a combination of chain-link and barbwire fences prevent unauthorized entrance to the facility by pedestrians or vehicles.

The access road is approximately 20 feet wide and half a mile in length. It consists of a soil sub-base and a surface course of gravel, limestone and crushed asphalt. Fire lanes are accessible year round.

b. waste tire acceptance plan, to count, record, and monitor incoming quantities of waste tires;

The waste tire acceptance plan is as follows:

Waste tires are counted as they are loaded onto hauling trailers by EIR route drivers who pick up tires from authorized waste tire generators. The route drivers indicate on the manifests the number of waste tires picked up from each generator. Both the generator and route driver sign the manifest verifying the number of tires. The gold copy of the manifest is left with the generator.

EIR also accepts waste tires from authorized transporters who pick up tires from authorized waste tire generators. The same procedure as above is followed with one exception; the tires are re-counted as they are unloaded at EIR. All tires are matched to the manifest from which they are taken; therefore, an accurate count of incoming waste tires is maintained.

Each manifest is completed and signed by EIR office personnel. A printed receiving slip shows a breakdown of total tires received from each generator. A copy of the receiving slip is sent to the generator along with their copy of the manifest. Incoming tires are listed as inventory received by source on a daily tire sheet. Manifests are processed as follows:

- White Copy (Original): Returned to LDEQ (Administrative Authority);
- Yellow Copy: EIR maintains in customer's file;
- Green Copy: EIR maintains in customer's file;
- Pink Copy: Given to transporter #2, if applicable;
- Blue Copy: EIR maintains when transporting; otherwise, given to transporter; and
- Gold Copy: Given to the waste tire generator.

EIR will accept no more than five unmanifested tires per day per customer. EIR will maintain a log for all unmanifested loads. The log will include, at the minimum, the following:

- a. The name and address of the customer;
- b. The license plate number of the vehicle delivering the tires;
- c. The phone number of the customer;
- d. The number of tires received;
- e. The date;
- f. The time; and
- g. The signature of the customer delivering the tires.

A monthly report will be submitted as required by LAC 33:VII.10525.B, and the report will include a certified record of pounds of tires processed during the month along with all completed manifests for the reported month. The monthly report will also include a certified record of the pounds of waste tire material that have been marketed and delivered as a product or raw material for beneficial reuse.

Completed copies of waste tire manifests will be provided to the generators of waste tires within 30 days of the origination date of the manifest.

c. method to control water run-on/runoff;

As shown on Figures 1 and 3, the facility has appropriate slope, drainage features, and drainage structures to provide adequate stormwater runoff control and run-on prevention. These features also prevent standing water in the waste tires, waste tire material and associated storage areas. The area of operations is the high point of the facility. All stormwater runoff is via overland flow from the area of operations and out toward the facility's perimeter ditches. Since EIR shreds waste tires upon receipt and markets all of its waste tire material, there will be minimal, if any, material stored onsite. All water discharges, including stormwater runoff, from the site will be in accordance with applicable State and Federal rules and regulations.

As shown on Figures 1 and 3, run-on is prevented by the perimeter drainage ditches.

d. days and hours of operation;

Normal hours of operation are 6:00 a.m. - 9:00 p.m. Monday through Saturday, and 7:00 a.m. - 6:00 p.m. on Sunday. EIR may operate 24 hours a day, 7 days a week, as needed, to shred all waste tires received by the facility. In the event EIR needs to operate outside their normal hours, they will notify LDEQ during their office hours of 8:00 a.m. - 4:30 p.m., Monday through Friday.

e. waste tire storage method;

i. dimensions of waste tire piles;

Currently, EIR markets 100% of its waste tire material. If necessary, waste tires are stored outside (either shredded or whole). In accordance with LDEQ regulations, waste tire piles will not measure more than 10' in height, 20' in width and 200' in length. Waste tire material will be stored in two pyramid-shaped storage piles as shown on Figures 1 and 4 and in Exhibit 11. Also, a minimum 50'-wide fire lane will be implemented between each pile to allow access by emergency vehicles and equipment. Fire lanes will be made accessible at all times. Approximate pile locations are shown on Figures 1 and 4.

ii. maximum number of waste tires and volume of waste tire material to be stored at any one time. The total amount of waste tires and volume of waste tire material shall not exceed 60 times the daily capacity of the processing unit;

The maximum number of waste tires stored at any one time shall not exceed 60 times the daily capacity of the processing unit (tire shredder). A single tire shredder is capable of processing approximately 2,500 tires per hour. To be conservative, the average daily passenger tire equivalency (PTE, 20 lbs) is used to determine the facility's maximum storage capacity. The average daily value of incoming tires is approximately 6,275 PTE; therefore, EIR will not store more than 376,500 PTE (includes whole and processed tires or any combination thereof) at any one time.

Currently, EIR markets 100% of its waste tire material; therefore, minimal waste tires or waste tire material are stored onsite. When necessary, waste tires will be stored outside (shredded and/or whole). In accordance with LDEQ regulations, waste tire piles will not measure more than 10' in height, 20' in width and 200' in length. Waste tire material will be stored in two pyramid-shaped storage piles as shown on Figures 1 and 4 and in Exhibit 11. Also, a minimum 50'-wide fire lane will be implemented between each pile to allow access by emergency vehicles and equipment. Fire lanes will be made accessible at all times. Approximate pile locations are shown on Figures 1 and 4.

The PTE contained in the three rectangular whole tire storage piles (200' length x 20' width x 10' height) plus the PTE contained in the two pyramid tire shred storage piles equals 60 times the facility's daily capacity (i.e., 376,500 PTE).

iii. width of fire lanes;

Currently, EIR markets 100% of its waste tire material. When necessary, waste tires will be stored outside (shredded and/or whole). In accordance with LAC 33:VII.10525.D.9, a minimum 50'-wide fire lane will be implemented between each tire pile to allow access by emergency vehicles and equipment. Fire lanes will be made accessible at all times. Approximate pile locations are shown on Figures 1 and 4.

iv. method of storage to exclude standing water, including inside storage;

Upon arrival, whole tires are unloaded and sorted on the concrete slab. Immediately after sorting, they are directed onto a conveyor belt leading to the tire shredder; therefore, standing water inside whole tires is not anticipated to be an issue as the tires are processed upon arrival.

If required, waste tires will be stored outside (shredded and/or whole). In accordance with LDEQ regulations, waste tire piles will not measure more than 10' in height, 20' in width and 200' in length and a 50'-wide fire lane will be established between each pile. Waste tire material will be stored in two pyramid-shaped storage piles as shown in Exhibit 11. Approximate pile locations are shown on Figures 1 and 4. As shown on Figures 1 and 3, the facility has appropriate slope, drainage structures, and drainage features to provide adequate stormwater runoff, so standing water is generally not an issue.

v. type of access roads and buffer zones; and

As shown on Figure 1, the access road is approximately 20 feet wide and half a mile in length. It consists of a soil sub-base and a surface course of gravel, limestone and crushed asphalt. Fire lanes are accessible year round.

The 100' buffer zone is shown on Figure 4 and will be maintained as required by LAC 33:VII.10525.D.2 with the exception of the south side of the main building on the EIR property. This area was exempted at the time of the original permit. A copy of the 100' buffer zone exemption letter for the south side of the main building, addressed to Rural Collection & Tire Recycling (RCTR), and a letter showing the facility's transfer of ownership from RCTR to EIR, are enclosed as Exhibit 7.

vi. emergency control plans in case of fire or accident, etc.;

EIR's priority in the event of an emergency will be to minimize hazards to human health and the environment. Due to the fact that tires are recycled as soon as they arrive at the facility, the likelihood of a tire fire is unlikely. There will be no open burning on the premises.

The Plant Manager maintains an updated safety plan onsite in case of a fire or accident. The first step in the event of a fire or accident will be to call Emergency – 911. Next, EIR will contact both Rosehill and Port Allen Fire Departments. If water is to be used by the fire department to control the fire, a fire hydrant is located 125' southwest of the west corner of the processing building, as shown on Figure 1. EIR has also contacted Fire Equipment and Maintenance, Inc. (FEM); they have agreed to assist the fire departments with fire fighting foam, if needed, in an emergency situation. Enclosed as Exhibit 8 is the correspondence to and from FEM addressing said agreement.

- f. a detailed description of the waste tire processing method to be used, including daily capacity;

Tires are delivered to EIR by EIR transporters and other LDEQ authorized transporters from LDEQ authorized tire generators. When tires arrive at the facility, they are counted and checked against the manifests as they are unloaded. The waste tires are then loaded onto a conveyor belt leading to the tire shredder. Once the waste tire material is appropriately sized according to its application, it is loaded into 18-wheeler trailers and delivered for recycling to an end-use facility. EIR processes and markets waste tires according to regulations set forth by LDEQ.

The maximum number of waste tires and/or mass of tire shreds stored at any one time will not exceed 60 times the daily capacity of the processing unit (tire shredder). A single tire shredder is capable of processing approximately 2,500 tires per hour. To be conservative, the average daily passenger tire equivalency (PTE, 20 lbs) is used to determine the facility's maximum storage capacity. The average daily value of incoming tires is approximately 6,275 PTE; therefore, EIR will not store more than 376,500 PTE (includes whole and processed tires or any combination thereof) at any one time.

- g. site grounds maintenance and disease vector control to minimize vector-breeding areas and animal attraction:

Waste tires and waste tire piles will be managed in accordance with the disease vector control plan provided herein. EIR will attempt to minimize fly, mosquito, and other insect emergence and entrance, minimize rodent burrowing for food or harborage, and minimize bird and animal attraction.

Grounds at the facility are maintained by mowing on a regular basis to prevent extreme foliage growth. It will be the responsibility of the Plant Manager to monitor the grounds and take actions, as needed, to prevent foliage growth and minimize vector breeding and animal attraction utilizing the measures detailed below.

- i. controlling fly, mosquito and other insect emergence and entrance;

All of EIR's incoming tires are typically shredded upon arrival; therefore, insect breeding within stockpiled tires is prevented. Grounds around the facility are crowned and sloped to enable stormwater runoff to flow to the perimeter ditches which lead to the Parish drainage system, as shown on Figures 1 and 3. There is minimal standing water on site; thus, the opportunity for mosquito breeding is limited. Upon first evidence of an increase in mosquitoes or flies, the Plant Manager will contact a professional exterminator.

- ii. controlling rodent burrowing for food or harborage;

A number of cats live onsite, and aid in the control of rodents. EIR feels that this method is safer for the environment than poisons or other control devices. The Plant Manager is authorized to take proper action if burrowing rodents become a serious problem. In this case, the Plant Manager will contact a professional exterminator or have a permanent electronic rodent deterrent system installed. To help minimize the invasion of rodents burrowing for food, garbage is stored in covered containers and is picked up by the Parish garbage collectors on a regular basis.

- iii. controlling bird and animal attraction;

EIR has not experienced excessive bird or animal attraction during the past 12 years of facility operations. EIR will continue utilizing environmentally friendly methods of vector control to minimize the danger to people, bird, or animal life. Nesting around the buildings is minimized by cats residing on the

property. To help control bird and animal attraction, garbage is stored in covered containers and is picked up by the Parish garbage collectors on a regular basis. Bird nesting will be controlled by covering nesting areas with repellant tape if the above methods fail. If stray dogs are found on the premises, EIR will contact the West Baton Rouge Animal Control Department.

h. buffer zones;

The 100' buffer zone is shown on Figure 4, and will be maintained as required by LAC 33:VII.10525.D.2, with the exception of the south side of the main building on the EIR property. This area was exempted when the original permit was issued. A copy of the 100' buffer zone exemption letter for the south side of the main building, addressed to Rural Collection & Tire Recycling (RCTR), and a letter showing the facility's transfer of ownership from RCTR to EIR, are enclosed as Exhibit 7.

i. method to store waste tire material in detail;

The maximum number of waste tires stored at any one time will not exceed 60 times the daily capacity of the processing unit (tire shredder). A single tire shredder is capable of processing approximately 2,500 tires per hour. To be conservative, the average daily passenger tire equivalency (PTE, 20 lbs) is used to determine the facility's maximum storage capacity. The average daily value of incoming tires is approximately 6,275 PTE; therefore, EIR will not store more than 376,500 PTE (includes whole and processed tires or any combination thereof) at any one time.

Currently, EIR markets 100% of its waste tire material; therefore, minimal waste tires or waste tire material are stored onsite. When necessary, waste tires will be stored outside (shredded and/or whole). In accordance with LDEQ regulations, waste tire piles will not measure more than 10' in height, 20' in width and 200' in length. Waste tire material will be stored in two pyramid-shaped storage piles as shown on Figures 1 and 4 and in Exhibit 11. Also, a minimum 50'-wide fire lane will be implemented between each pile to allow access by emergency vehicles and equipment. Fire lanes will be made accessible at all times. Approximate pile locations are shown on Figures 1 and 4.

The PTE contained in the three rectangular whole tire storage piles (200' length x 20' width x 10' height) plus the PTE contained in the two pyramid tire shred storage piles equals 60 times the facility's daily capacity (i.e., 376,500 PTE).

j. end market of the waste tire material; and

EIR's approved waste tire material end uses are:

- Road base during wet weather conditions to support heavy equipment and trucks;
- Road base for onsite access roads;
- Levee fill material;
- Road base construction material; and
- Landscaping around residential home foundations to keep termites away.

k. method to control and/or treat any process water;

Process water control consists of sheet flow from the shredder, located in the processing building (Figure 6), to a 9"-deep concrete drainage channel. From the drainage channel, process water flows through a concrete-lined gutter and into a concrete-lined catch basin. The channel, catch basin and gutter are also shown on Figure 6. A pump recirculates process water back into the shredding equipment. No processing water will be allowed to drain out of the tire processing building.

15. **evidence of general liability insurance in the amount of \$1 million provided by insurer who is admitted, authorized or eligible to conduct insurance business in Louisiana;**

EIR maintains general liability insurance in the amount of \$1 million with an insurance company admitted, authorized and eligible to conduct business in Louisiana. A duplicate copy of the Certificate of Liability Insurance has been submitted to the Office of Management and is enclosed as Exhibit 9.

16. **a site closure plan to assure clean closure. The closure plan must be submitted as a separate section with each application. The closure plan for all facilities must ensure clean closure and must include the following:**

- a. **the method to be used and steps necessary for closing the facility;**

Should EIR decide to close or discontinue its operations, the method will be as follows:

- Prior to closure, a Notice of Intent to close will be provided to LDEQ, waste tire transporters, and waste tire generators.
- No additional waste tires or waste tire material will be accepted.
- The site will continue to process the remaining waste tire materials until all have been processed.
- All remaining shredded tire material will be delivered to an end-use facility. All shreds will be processed in accordance with LDEQ regulations.
- EIR will submit a final report to LDEQ stating the weight and destination facility for all remaining waste tire material that has been processed, along with a request for payment.
- All remaining material and equipment will be completely removed from the facility to reduce any environmental impact.
- Once all processing material and equipment are removed from the facility, it will then be closed.

- b. **the estimated cost of closure of the facility, based on the cost of hiring a third party to close the facility at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive;**

The maximum number of waste tires stored at any one time will not exceed 60 times the daily capacity of the processing unit (tire shredder). A single tire shredder is capable of processing approximately 2,500 tires per hour. To be conservative, the average daily passenger tire equivalency (PTE, 20 lbs) is used to determine the facility's maximum storage capacity. The average daily value of incoming tires is approximately 6,275 PTE; therefore, EIR will not store more than 376,500 PTE (includes whole and processed tires or any combination thereof) at any one time.

In the event EIR needs to shut down operations, every effort will be made to recycle all waste tires and/or waste tire material at an end-use facility. A clean closure will be assured. The most expensive time to close the facility would be when the facility is at its maximum capacity of 376,500 PTE.

LAC 33:VII**STANDARD WASTE TIRE PERMIT
RENEWAL APPLICATION****10517.A.**

The estimated cost of hiring a third party to close the facility is \$75,300 (using the calculations described in LAC 33:VII.10525.D.13.c). The calculations are as follows:

- 376,500 PTE times 20 lbs/PTE = 7,530,000 lbs
- 7,530,000 lbs divided by 2,000 lbs/ton = 3,765 tons of waste tire material
- 3,765 tons times \$20/ton = \$75,300

EIR will maintain an Irrevocable Letter of Credit in the amount of \$75,300. Enclosed as Exhibit 12 is a copy of the current Irrevocable Letter of Credit and Standby Trust Agreement obtained from Hancock Bank.

- c. **an estimate of the maximum inventory of whole waste tires on-site at any one time over the active life of the facility;**

The maximum inventory of whole waste tires on the site at any one time has not exceeded 38,000 PTE during EIR's ownership. The inventory is not expected to exceed this amount, and will not exceed 376,500 PTE.

- d. **a schedule for completing all activities necessary for closure;**

The estimated schedule for completing all activities necessary for closure would be as follows:

- Shredding all whole waste tires (375,600 PTE maximum) will take 38 days;
- Loading all waste tire material into trailers for delivery to authorized end-use facility occurs during the shredding process;
- Completing paperwork necessary to provide proper closing information to LDEQ Waste Tire Management Fund and verifying correct steps have been taken to close facility will take 7 days;
- Submitting proper paperwork to LDEQ Waste Tire Management Fund, including but not limited to weight tickets, manifests signed by authorized end-use facility, and final monthly report requesting final payment will take 7 days;
- Cleaning and demobilizing all equipment stored onsite will take 14 days; and
- The total closure completion period is estimated to be **66 days**.

- e. **the sequence of final closure as applicable;**

It will take EIR approximately 66 days to perform a complete, clean closure during normal hours of operation. A Notice of Intent to close will be provided prior to closure to LDEQ, waste tire transporters, and waste tire generators. No additional waste tires or waste tire material will be accepted once the NOI is submitted. The site will continue to process the remaining waste tire materials until all have been processed. All remaining shredded tire material will be delivered to an end-use facility, and all shreds will be processed in accordance with LDEQ regulations. EIR will submit a final report to LDEQ stating the weight and end-use facility for all remaining waste tire material that has been processed, along with a request for final payment. All remaining material and equipment will be completely demobilized from the facility to reduce any environmental impact. Once all processing material and equipment is removed from the facility, it will then be closed.

LAC 33:VII**STANDARD WASTE TIRE PERMIT
RENEWAL APPLICATION****10517.A.****17. site closure financial assurance fund;**

The estimated cost of hiring a third party to close the facility is \$75,300 using the calculations described in LAC 33:VII.10525.D.13.c. The calculations are as follows:

- 376,500 PTE times 20 lbs/PTE = 7,530,000 lbs
- 7,530,000 lbs divided by 2,000 lbs/ton = 3,765 tons of waste tire material
- 3,765 tons times \$20/ton = \$75,300

EIR will maintain an Irrevocable Letter of Credit in the amount of \$75,300. Enclosed as Exhibit 12 is a copy of the current Irrevocable Letter of Credit and Standby Trust Agreement obtained from Hancock Bank.

18. plans, specifications, and operations represented and described in the permit application or permit modifications for all facilities must be prepared under the supervision of and certified by a registered engineer licensed in the state of Louisiana;

All plans, specifications and operations represented and described in this Standard Waste Tire Permit Renewal Application for EIR were prepared under the supervision and certified by an Engineer licensed in the State of Louisiana. All maps and drawings have the Engineer's seal on them.

19. certification. The applicant must provide and sign legal certification that all information provided in the application is true and correct with the knowledge of the possibility of punishment under the law for false information;

Legal Certification is provided below.

20. signature and date; and**LEGAL CERTIFICATION**

"I certify under penalty of law that I have personally examined and I am familiar with the information enclosed in this permit application and do hereby attest that all information provided is true, accurate and complete to the best of my knowledge. I am aware that there is a possibility of punishment under the law for intentionally submitting false information."

Signature: Buddy Dupuy, President Date: 4-22-08
Buddy Dupuy, President
Environmental Industries Recycling, Inc.

21. name of authorized agent of process, if applicable.

Marjorie B. Pino, Office Manager
7122 Highway 190 West
Port Allen, LA 70767

PART III

ADDITIONAL SUPPLEMENTARY INFORMATION

PART III

ADDITIONAL SUPPLEMENTARY INFORMATION

(The form shall be completed in accordance with the instructions found in LAC 33:VII.523.)

The following supplementary information is required for all solid waste processing and disposal facilities. All responses and exhibits must be identified in the following sequence to facilitate the evaluation:

523.A a discussion demonstrating that the potential and real adverse environmental effects of the facility have been avoided to the maximum extent possible;

EIR currently markets 100% of shredded waste tire material; therefore, there are minimal potential and no real adverse environmental effects resulting from the operation of the facility. The facility is surrounded by pasture and farmland, and very few residential homes are in the area. The facility has protective barriers such as fences, gates and perimeter drainage ditches, as shown on Figure 1, to reduce the possibility of unauthorized ingress and/or egress which helps ensure the safety of EIR employees and the environmental integrity of the facility. The facility is not in a wetland area or near heavily populated areas. The facility is properly zoned and is not located in a wildlife protection area. It is located outside the Port Allen city limits.

As shown on Figures 1 and 3, the facility has appropriate slope and drainage structures to provide adequate stormwater runoff. These features also prevent standing water in the waste tires, waste tire material and associated storage areas. The area of operations is the high point of the facility. All stormwater runoff is via overland flow from the area of operations and out toward the facility's perimeter ditches.

A number of cats live onsite and aid in the control of rodents. EIR feels that this method is safer for the environment than poisons or other control devices. The Plant Manager is authorized to take proper action if burrowing rodents becomes a serious problem. In this case, the Plant Manager would contact a professional exterminator or have a permanent electronic rodent deterrent system installed. To help minimize the invasion of rodents burrowing for food, garbage is stored in covered containers and is picked up by the Parish garbage collectors on a regular basis.

EIR feels that proper measures have been taken to avoid potential and real adverse environmental effects from the existing facility.

523.B. a cost benefit analysis demonstrating that the social and economic benefits of the facility outweigh the environmental-impact costs;

The cost of shredding tires from tire dealers is much less than the cost of cleaning up unmanifested tires that may be discarded alongside roads or dumped into an illegal pit. The recycling process also keeps tires from taking up much needed airspace in landfill facilities.

Before the inception of the Waste Tire Program, millions of tires were discarded along roadside ditches and in pastures throughout Louisiana. Cleaning the State of illegally dumped waste tires requires large, heavy equipment such as dozers, trackhoes, and bobcats, along with extensive manual labor. This problem unnecessarily cost the State millions of tax dollars. This facility has and will continue to help the State eliminate waste tires from its waterways, back roads and highways which in turn, enhances the beauty of Louisiana.

Tires that are not processed into the Waste Tire Program through authorized tire generators generally are extremely dirty and still contain the tire rim. These tires may be thrown into a roadside dump along with lots of other garbage and, as stated before, cost much more to dispose of properly. Tires not obtained from authorized generators have to be fairly clean from mud and debris before they can be put into the shredder, which can cost processors time and money. Mud and debris are very damaging to the blades on a shredder, and can eventually damage the gear boxes inside the shredder. Tires containing the rim cost even more to process and market because the rims have to be crushed and removed from tires before they can be shredded, thus requiring additional personnel and time.

One of the cost benefits of having a Waste Tire Program is the large savings to the State. Authorized tire dealers remove the rims and generally clean the tires allowing them to go directly into a shredder. Most processed tires are conveyed directly into a truck, which delivers the waste tire material to an end-use facility, or they are marketed as recycled rubber.

In order to reach the highest economic efficiency, one must transport tires directly to authorized waste tire processors, shred the tires, and deliver them to an end user as quickly as possible. The storage of shredded and/or whole tires is not beneficial to EIR.

523.C. a discussion and description of possible alternative projects which would offer more protection to the environment without unduly curtailing non-environmental benefits;

EIR would like to see the LDEQ help tire processors find even more beneficial uses for shredded tire chips with the funds they are currently allocating for research and development.

At the present time, processors have to come up with their own uses and have them approved by LDEQ, which can be a very costly and time-consuming process for some waste tire processors.

523.D. a discussion of possible alternative sites that would offer more protection to the environment without unduly curtailing non-environmental benefits;

A more efficient wire removal technique would increase the uses of the recycled tires. EIR feels that with the high costs associated with removing wire from steel belted tires, it is not a practical application at the present time as compared to the current process.

EIR is open to all processing facilities having a central location, funded by Waste Tire Management Fund, which would accept all tire shreds. Shreds delivered to this facility would be used to produce an end-use product or products. EIR, Inc. has researched other recyclable uses of waste tires and there are some available, but there would need to be government grants available for equipment purchases.

523.E. a discussion and description of the mitigating measures which would offer more protection to the environment than the facility, as proposed without unduly curtailing non-environmental benefits.

One measure, as discussed above, to help tire-recycling facilities operate in a more environmentally sound manner would be to offer more State and Federal funding and/or grants for new research and updated processing technology. Tire recycling facilities are low-profit businesses that operate to benefit the State in recycling of waste tires and deserve the appropriate funding on State and Federal levels.

Other options would be:

- Offer recycling facilities a tax break benefit;
- Allow drivers who deliver recycled rubber to operate with the same type of driver's license as farmers.

EXHIBITS

Exhibit 1

West Baton Rouge Parish Letter of Notification

Environmental Industries Recycling, Inc.

P. O. Box 1194, Port Allen, LA 70767

Phone (225) 344-8298 • Fax (225) 387-9874

March 27, 2006

Mr. Riley Berthelot, Jr.
Parish President
West Baton Rouge Parish Government
P. O. Box 757
Port Allen, LA 70767

Dear Mr. Berthelot:

I am in the process of renewing my permit to recycle waste tires at my facility, Environmental Industries Recycling, Inc. DEQ is requesting that I notify you and your department of my intentions.

I need to receive written documentation from you stating that my facility is in compliance with local zoning and permitting requirements.

I would appreciate you sending this letter as soon as possible as we are nearing deadline for submitting this information to Louisiana Department of Environmental Quality.

Thank you,

ENVIRONMENTAL INDUSTRIES RECYCLING, INC.

Buddy Dupuy
Buddy Dupuy, President

EJD/rr

Exhibit 2

West Baton Rouge Parish Letter of Approbation

WEST BATON ROUGE PARISH GOVERNMENT

Parish Governmental Authority

RILEY BERTHELOT, JR., PARISH PRESIDENT



RANDAL MOUCH, DISTRICT I
JEFF KERSHAW, DISTRICT II
KEITH WASHINGTON, SR., DISTRICT III
DANTIN V. LeBLANC, DISTRICT IV
CURTIS ANDERSON, DISTRICT V

POST OFFICE BOX 757
PORT ALLEN, LOUISIANA 70767
225-383-4755 (VOICE)
1-800-846-5277 (TD)
225-387-0218 (FAX)

HUEY BROWN, DISTRICT VI
HARLAN CASHIOLA, DISTRICT VII
LARRY JOHNSON, DISTRICT VIII
BETTY NELSON, DISTRICT IX

3/29/06

Mr. Buddy Dupuy, President
Environmental Industries Recycling, Inc.
P.O. Box 1194
Port Allen, LA 70767

Dear Mr. Dupuy:

In reference to your request for a permit from the Department of Environmental Quality as a Processor/Recycler at your site located at 7122 LA Hwy. 190 W., Port Allen, LA.

I hereby certify the following:

- a. West Baton Rouge presently has zoning requirements with EIR being properly zoned as Light Industrial District (I-2).
- b. Environmental Industries Recycling, Inc. has obtained all of the required permits to operate within West Baton Rouge Parish from the standpoint of Parish Ordinances.

I trust you will find this in order.

Very truly yours,

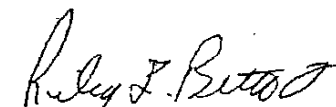

Riley L. Berthelot, Jr.
West Baton Rouge Parish President

Exhibit 3

West Baton Rouge Parish Assessor Parcel Listing for Environmental
Industries Recycling, Inc. Property

Date: 02/08/2007
Time: 12:49:02PM

BARNEY M. ALTAZAN, ASSESSOR
WEST BATON ROUGE PARISH
POST OFFICE BOX 76
850 8TH ST., ROOM 11 COURTHOUSE BLDG.
PORT ALLEN, LOUISIANA 70767-0076

Page: 1

PARCEL LISTING

OWNER
EIR INC
7122 HWY 190 W
PORT ALLEN, LA 70767

PARCEL# 053400000301

| Parcel Number | Map Number | Parcel Type | Ward | Physical Address |
|---------------|------------|-------------|--------|---------------------|
| 053400000301 | | REAL ESTATE | Ward 5 | 7122 NOLAN DAVID RD |

LOCATIONS- PARCEL#053400000301

| Subdivision | Lot | Block | Section | Township | Range | Tract |
|-------------------|-----|-------|---------|----------|-------|-------|
| CYPRESS HALL PLTN | K | | 60 | 6S | 11E | |
| CYPRESS HALL PLTN | K-1 | | 60 | 6S | 11E | |

ITEMS- PARCEL#053400000301

| Description | Assessed Value | Homestead Value | Units | Homestead Units |
|------------------------|----------------|-----------------|-------|-----------------|
| MISCELLANEOUS LAND | 2,000 | | 5.00 | 0.00 |
| COMMERCIAL IMPROVEMENT | 43,320 | | 1.00 | 0.00 |
| AGRICULTURAL LAND II | 930 | | 32.00 | 0.00 |
| Item Totals | 46,250 | | 38.00 | 0.00 |

LEGAL DESCRIPTION- PARCEL#053400000301

36.724 AC IN SEC 60 T6S R11E DESIG AS:
TRACK K CONT 30 AC &
TRACK K-1 CONT 6.724 AC P/O LOTS 4 5 & 6 CYPRESS HALL PLTN 34-3A
E59 CB377 E4 & E5

OWNERSHIP- PARCEL#053400000301

| HS | Owner Name | Primary | % Owned | % Tax | From | To |
|----|------------|---------|---------|--------|------------|----|
| NO | EIR INC | YES | 100.00 | 100.00 | 02/01/2002 | |

PARCEL TAX HISTORY- PARCEL#053400000301

| Tax Year | Total Tax | Total Taxpayer | Homestead Tax | Total Value | Total Homestead Value |
|----------|-----------|----------------|---------------|-------------|-----------------------|
| 2006 | 3,731.91 | 3,731.91 | 0.00 | 46,250 | 0 |
| 2005 | 1,186.14 | 1,186.14 | 0.00 | 14,700 | 0 |
| 2004 | 1,105.29 | 1,105.29 | 0.00 | 14,700 | 0 |
| 2003 | 1,083.09 | 1,083.09 | 0.00 | 14,700 | 0 |
| 2002 | 1,083.24 | 1,083.24 | 0.00 | 14,700 | 0 |
| 2001 | 1,097.94 | 1,097.94 | 0.00 | 14,700 | 0 |
| 2000 | 1,197.31 | 1,197.31 | 0.00 | 14,700 | 0 |
| 1999 | 882.92 | 882.92 | 0.00 | 10,860 | 0 |

WEST BATON ROUGE PARISH, LA

7122 Hwy #190 West
MUNICIPAL ADDRESS

NO. 34 WARD NO. 5 PARCEL NO. 3A

15 AC +
7.5 AC
6.724

DESCRIPTION OF PROPERTY

Tract K (30 AC) } Tract K-1 (6.724) in Sec. 60 T16S R11E
P/O Lots 4, 5 + 6 Cypress Hall P/Hn E. (36.7244)

| OWNER | C.B. & ENTRY NO. | TYPE OF CONVEY. | DATE FILED | DATE OF SALE | CONSIDERATION |
|----------------|------------------|-----------------|------------|--------------|---------------|
| Thibodeaux, T. | | | | | |
| EIR, Inc | 334-59 | slw mort | 7/12/95 | 6/26/98 | \$ 75,000.00 |
| ll ll | 377-4 | Credit sale | 8/18/97 | | 75,000 — |
| ll ll | 377-5 | " | 8/18/97 | | 33,620 — |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Exhibit 4

Proof of Publication of Public Notice

CAPITAL CITY PRESS

Publisher of
THE ADVOCATE

PROOF OF PUBLICATION

The hereto attached notice was published in THE ADVOCATE, a daily newspaper of general circulation, published in Baton Rouge, Louisiana, and the Official Journal of the State of Louisiana, the City of Baton Rouge, and the Parish of East Baton Rouge, in the issues of:

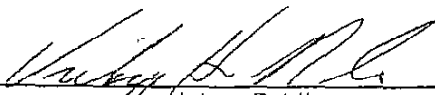
06/24/00



Legal/Public Notices Representative

Sworn and subscribed before me by the person whose signature appears above in Baton Rouge, Louisiana, on

June 24, 2000



Notary Public

My Commission Expires: Indefinite

PUBLIC NOTICE

Notice is hereby given that EIR, Inc. does intend to submit to the Louisiana Department of Environmental Quality, Office of Environmental Services, Permits Division, an application for renewal of a permit to continue operating a waste tire processing facility in West Baton Rouge Parish, Range 11-E, Township 6-S, Section 60, which is approximately 6 miles west of City of Port Allen, LA.

Comments concerning the facility may be filed with the Secretary of Louisiana Department of Environmental Quality at the following address: Louisiana Department of Environmental Quality, Office of Environmental Services, Permits Division, P. O. Box 82135, Baton Rouge, LA 70884-2135.

1952557-jun 24-11

ENVIRONMENTAL IND RECYCLING
P.O. BOX 1194

Port Allen

LA 70767

1952557

PUBLIC NOTICE

Notice is hereby given that EIR, Inc., does intend to submit to the Louisiana Department of Environmental Quality, Office of Environmental Services, Permits Division, an application for renewal of a permit to continue operating a waste tire processing facility in West Baton Rouge Parish, Range 11 E, Township 6-S, Section 60, which is approximately 6 miles west of City of Port Allen, LA.

Comments concerning the facility may be filed with the Secretary of Louisiana Department of Environmental Quality at the following address: Louisiana Department of Environmental Quality, Office of Environmental Services, Permits Division, P. O. Box 82135, Baton Rouge, LA 70884-2135.

Published in West Side Journal, Port Allen, Louisiana
June 29, 2000

Exhibit 5

Louisiana State Fire Marshal Publication of Inspection Report

Environmental Industries Recycling, Inc.

P. O. Box 1194, Port Allen, LA 70767

Phone (225) 344-8298 • Fax (225) 387-9874

May 9, 2006

Fire Marshall
State of Louisiana
8181 Independence Blvd.
Baton Rouge, LA 70806

Dear Mr. Bella:


I am in the process of renewing my permit to recycle waste tires at my facility located in West Baton Rouge Parish (Environmental Industries Recycling, Inc.). These buildings and grounds have been operating as waste tire recycling facility since 1991 and we have been operating with a DEQ Standard Permit since 1995.

DEQ is requesting that I obtain a letter of compliance and certification of premises and buildings from the State Fire Marshal's office.

I would appreciate you or someone from your office contacting us so we can begin this process. Thanks in advance for your cooperation.

Thank you,

ENVIRONMENTAL INDUSTRIES RECYCLING, INC.


Buddy Dupuy, President

EJD/rr

OFFICE OF STATE FIRE MARSHAL CODE ENFORCEMENT AND BUILDING SAFETY INSPECTION REPORT

PLEASE PRINT

SEE REVERSE SIDE OF ORDER FOR RIGHTS OF APPEAL.

OFFICE COPY

DPSFM 7055 (R 8/98)

Exhibit 6

Rosehill Volunteer Fire Department Letter of Notification

Environmental Industries Recycling, Inc.

P. O. Box 1194, Port Allen, LA 70767

Phone (225) 344-8298 • Fax (225) 387-9874

July 10, 2006

Chief Anthony E. Moran
Rosehill Volunteer Fire Department
10280 Bueche Road
Bueche, LA 70720

Dear Chief:

I am writing this letter to notify you that I am submitting a renewal application to the Louisiana Department of Environmental Quality to continue operating a waste tire processing plant at my location at the end of Nolan David Road, ½ mile after you cross the railroad tracks. We have been operating in this same location for the past 5 years.

We ask that you continue to respond to any first aid/fire call as you would any tax paying business in West Baton Rouge Parish. We would appreciate you sending a letter to this facility stating that you would respond to our call for help if needed. We would like to receive this letter as soon as possible due to the fact that we are approaching deadline to submit this information to Louisiana Department of Environmental Quality.

Thank you,

ENVIRONMENTAL INDUSTRIES RECYCLING, INC.

Buddy Dupuy by Rhonda Reeves
Buddy Dupuy, President

ROSEHILL VOLUNTEER FIRE DEPARTMENT

10280 BUECHE RD., BUECHE LA 70729

Environmental Industries Recycling, Inc.
7122 Nolan David
Port Allen, LA 70767

July 27, 2006

To Whom It May Concern:

Rosehill Volunteer Fire Department will respond to any medical emergency or fire at this location as we would to any residence or business in our fire district. We have mutual aid with all other fire departments in WBR Parish if additional help would be needed.



Chief Anthony E. Moran

Exhibit 7

Buffer Zone Exemption and Transfer of Ownership Letters



State of Louisiana
Department of Environmental Quality



Edwin W. Edwards
Governor

William A. Kucharski
Secretary

July 6, 1995

CERTIFIED MAIL Z 106 524 550
RETURN RECEIPT REQUESTED

Ms. Glenda S. Gates
Rural Collection & Tire Recycling
Post Office Box 1254
Port Allen, Louisiana 70767

Dear Ms. Gates:

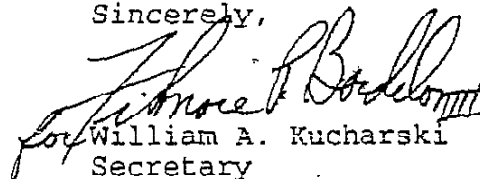
RE: Request for Exemption
Rural Collection & Tire Recycling
RP-121-4545
West Baton Rouge Parish

The Louisiana Department of Environmental Quality (LDEQ) has reviewed your request for an exemption from LAC 33:VII.10525.D.2. This exemption is hereby granted under the following conditions:

LAC 33:VII.10525.D.2 Rural Collection and Tire Recycling must maintain the required one hundred (100) foot buffer zone with the exception of the south side of the building.

If you have any questions concerning this matter or need additional information, please contact Mr. William Mollere at (504) 765-0249.

Sincerely,


for William A. Kucharski
Secretary

WAK:WRM:mlm

OFFICE OF SOLID AND HAZARDOUS WASTE SOLID WASTE DIVISION P.O. BOX 82178 BATON ROUGE, LOUISIANA 70884-2178

TELEPHONE (504) 765-0249 FAX (504) 765-0299

AN EQUAL OPPORTUNITY EMPLOYER





State of Louisiana
Department of Environmental Quality



Edwin W. Edwards
Governor

William A. Kucharski
Secretary

July 6, 1995

CERTIFIED MAIL Z 106 524 548
RETURN RECEIPT REQUESTED

Mr. Edwin Dupuy
President
EIR, Inc.
7122 Highway 190 West
Port Allen, Louisiana 70767

Dear Mr. Dupuy:

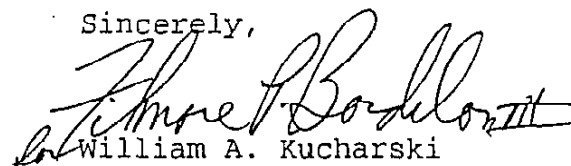
RE: Permit Modification
Rural Collection and Tire Recycling, Inc.
RP-121-4545/RP-0261
West Baton Rouge Parish

The Louisiana Department of Environmental Quality (LDEQ) is in receipt of your correspondence, dated July 6, 1995, requesting modification to Permit # RP-0261.

The transfer of ownership of permit # RP-0261, and the change of the facility name, from Rural Collection and Tire Recycling, Inc. to EIR, Inc. is hereby approved.

If you have any questions concerning this matter, or need any additional information, please call William J. Mollere, Administrator, Solid Waste Division, at (504)765-0249.

Sincerely,


William A. Kucharski
Secretary

WAK:WRM:mlm

Transfer of Permit from
Rural Tire to EIR

OFFICE OF SOLID AND HAZARDOUS WASTE SOLID WASTE DIVISION P.O. BOX 82178 BATON ROUGE, LOUISIANA 70884-2178

TELEPHONE (504) 765-0249 FAX (504) 765-0299

AN EQUAL OPPORTUNITY EMPLOYER



Exhibit 8

Fire Equipment and Maintenance, Inc. Letter of Notification

Environmental Industries Recycling, Inc.
P. O. Box 1194, Port Allen, LA 70767
Phone (225) 344-8298 • Fax (225) 387-9874

June 29, 2000

Mr. Bart Prejean, Manager
Fire Equipment & Maintenance, Inc.
1050 B. Commercial Drive
Port Allen, LA 70767

Dear Mr. Prejean:

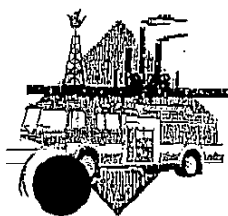
I am writing this letter to notify you that I am submitting a renewal application to the Louisiana Department of Environmental Quality to continue operating a waste tire processing plant at my location just off Nolan David Road. We have been operating in this same location for the past 5 years.

Due to the fact that Rosehill Fire Department could not handle a fire of great magnitude, we are requesting that you support this facility if that should ever occur. Please send us a letter stating that you do have a multi purpose fire fighting foam and that you will respond with local fire departments if needed. Please send this letter as soon as possible so we can submit this to the Louisiana Department of Environmental Quality within their deadlines.

Thank you,

ENVIRONMENTAL INDUSTRIES RECYCLING, INC.

Buddy Dupuy Pres.
Buddy Dupuy, President



FIRE EQUIPMENT & MAINTENANCE I N C O R P O R A T E D

GONZALES • PORT ALLEN • NORCO

- EMERGENCY
RESPONSE FLEET
- FIRE EQUIPMENT
SERVICE CENTER
- RESPIRATORY
SERVICE CENTER
- APPARATUS / PUMP
SERVICE CENTER
- FIRE & SAFETY SALES
- TRAINING SPECIALIST
- INSTRUMENT
SALES & SERVICE
- PUMP RENTALS

June 30, 2000

To: E.I.R., Inc.

ATTN: Mr. Buddy Dupuy,

Mr. Dupuy,

Fire Equipment and Maintenance, Inc. maintains a minimum of 5,000 gallons of multi-purpose fire fighting foam. We respond with local fire departments. We will certainly supply your company with foam as needed.

Sincerely,

Bart Prejean
Service Manager

Exhibit 9

Evidence of Liability Insurance Coverage

03/03/2008 05:52

EIR, INC

(FAX) 2253879874

P.001/001

ACORD CERTIFICATE OF LIABILITY INSURANCEOP ID 11
ZENVI-1DATE (MM/DD/YYYY)
02/19/08

PRODUCER

Gulf South Insurance Agency
11829 Sunray Avenue
Baton Rouge LA 70816
Phone: 225-292-3096 Fax: 225-292-3185

LDEQ RECEIVED

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION
ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE
HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR
MODIFY THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

ENVIRONMENTAL INDUSTRIES
BUDDY DUPUY
P.O. BOX 1194
PORT ALLEN LA 70767

2008 FEB 23 PM 12:41

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A: HUDSON SPECIALTY INSURANCE CO

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING
ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR
MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH
POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR ADD'L LTR INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS | |
|---|--|---------------|-------------------------------------|--------------------------------------|---|----------------------------|
| A | GENERAL LIABILITY | FSP6115305 | 11/16/07 | 11/16/10 | EACH OCCURRENCE | \$ 1000000 |
| | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$ |
| | <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR | | | | MED EXP (Any one person) | \$ |
| | | | | | PERSONAL & ADV INJURY | \$ |
| | | | | | GENERAL AGGREGATE | \$ 2000000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | PRODUCTS - COMP/OP AGG | \$ |
| | <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | |
| | AUTOMOBILE LIABILITY | | | | COMBINED SINGLE LIMIT (Ea accident) | \$ |
| | <input type="checkbox"/> ANY AUTO | | | | BODILY INJURY (Per person) | \$ |
| | <input type="checkbox"/> ALL OWNED AUTOS | | | | BODILY INJURY (Per accident) | \$ |
| | <input type="checkbox"/> SCHEDULED AUTOS | | | | PROPERTY DAMAGE (Per accident) | \$ |
| | <input type="checkbox"/> HIRED AUTOS | | | | | |
| <input type="checkbox"/> NON-OWNED AUTOS | | | | | | |
| | GARAGE LIABILITY | | | | AUTO ONLY - EA ACCIDENT | \$ |
| | <input type="checkbox"/> ANY AUTO | | | | OTHER THAN AUTO ONLY: EA ACC | \$ |
| | | | | | AGG | \$ |
| | EXCESS/UMBRELLA LIABILITY | | | | EACH OCCURRENCE | \$ |
| | <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE | | | | AGGREGATE | \$ |
| | <input type="checkbox"/> DEDUCTIBLE | | | | | \$ |
| | RETENTION \$ | | | | | \$ |
| | | | | | | \$ |
| WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below | | | | | WC STATUTORY LIMITS | OTH-ER |
| | | | | | E.L. EACH ACCIDENT | \$ |
| | | | | | E.L. DISEASE - EA EMPLOYEE | \$ |
| | | | | | E.L. DISEASE - POLICY LIMIT | \$ |
| A | POLLUTION LIABILITY | FSP6115305 | 11/16/07 | 11/16/10 | 2000000 1000000 | GENERAL AGG PER OCCURRE |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

RECYCLING COLLECTION CENTER

ENVIRONMENTAL IMPAIRMENT LIABILITY COVERAGE- CLAIMS MADE

CERTIFICATE HOLDER

LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY/OFFICE
OF ENVIRONMENTAL SERVICES
P.O. BOX 4313
BATON ROUGE LA 70821-4313

LADEPTE

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION
DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN
NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL
IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR
REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

SOLID WASTE FACILITY

CERTIFICATE OF LIABILITY INSURANCE

Secretary

Louisiana Department of Environmental Quality

Post Office Box 4313

Baton Rouge, Louisiana 70821-4313

Attention: Office of Environmental Services,

Water and Waste Permits Division

Dear Sir:

1. Hudson Specialty Insurance Company, the "insurer" of 17 State Street, 29th Floor New York, NY 10004 hereby certifies that it has issued liability insurance covering bodily injury and property damage to Environmental Industries Recycling Inc., the "insured", of 7122 US Hwy 190 West, Port Allen, LA in connection with the insured's obligation to demonstrate financial responsibility under LAC 33:VII.727.A.1. The coverage applies at Environmental Industries Recycling Inc., AI No. 15465, Site ID No. RP-121-4545, Permit No. RP-0261, and 7122 Hwy 190 West, Port Allen, LA 70767 for sudden and accidental occurrences. The limits of liability are \$1,000,000 each occurrence and \$2,000,000 annual aggregate, per site, exclusive of legal-defense costs. The coverage is provided under policy number FSP6115305, issued on 10/22/07. The effective date of said policy is 10/16/2007.
2. The insurer further certifies the following with respect to the insurance described in Paragraph :
 - a) Bankruptcy or insolvency of the insured shall not relieve the insurer of its obligations under the policy.
 - b) The insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the insurer. This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated as specified in LAC 33:VII.727.A.1.d.ii, iii, or iv.
 - c) Whenever requested by the administrative authority, the insurer agrees to furnish to him a signed duplicate original of the policy and all endorsements.

- d) Cancellation of the insurance, whether by the insurer or the insured, will be effective only upon written notice and upon lapse of 60 days after a copy of such written notice is received by the administrative authority.
- e) Any other termination of the insurance will be effective only upon written notice and upon lapse of 30 days after a copy of such written notice is received by the administrative authority.

2. I hereby certify that the wording of this certificate is identical to the wording specified in LAC 33:VII.727.A.1.d.i.(e) as such regulations were constituted on the date first written above, and that the insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more states, and is admitted, authorized, or eligible to conduct insurance business in the state of Louisiana.



Stacy D. Brown

Sr. Vice President, Product Line Manager

Freberg Environmental, Inc.

1451 Larimer Street, Suite 200

Denver, CO 80202

Exhibit 10

Waste Tire Material Storage Pile Documentation

ENVIRONMENTAL INDUSTRIES RECYCLING, INC.

P. O. BOX 1194

PORT ALLEN, LA 70767

PH (504) 344-8298 - FAX (504) 387-9874

June 17, 1997

Mr. Dennis Duszynski
Solid Waste Division
Louisiana Department of Environmental Quality
P. O. Box 82178
Baton Rouge, LA 70884-2178

Dear Mr. Duszynski:

Environmental Industries Recycling, Inc. is requesting authorization to store shreds in a pyramid shape to increase productivity in loading trailers with shreds for transportation of material. The type of equipment used in this procedure requires pyramid piles for easier access by tractor/trailer and excavator. Material stored in this shape will be easily accessible for firemen in case of a fire and easier to contain in case of a fire.

Sincerely,



Buddy Dupuy
Environmental Industries Recycling, Inc.


ENVIRONMENTAL INDUSTRIES RECYCLING, INC.

P. O. BOX 1194

PORT ALLEN, LA 70767

PH (504) 344-8298 - FAX (504) 387-9874

June 17, 1997





State of Louisiana
Department of Environmental Quality



W.L. "MIKE" FOSTER, JR.
GOVERNOR

August 6, 1997

J. DALE GIVENS
SECRETARY

Mr. Buddy Dupuy
Environmental Industries Recycling, Inc.
Post Office Box 1194
Port Allen, Louisiana 70767

RE: Storage of Waste Tire Shreds
(RP-121-4545)

Dear Mr. Dupuy:

On May 15, 1997, the Department granted your facility a ninety (90) period to try out new equipment prior to submitting a permit modification.

The type of equipment in use requires pyramid shaped piles of waste tire material for easier access by trailer and excavator. The Department approves the configuration of the waste tire piles requested in accordance with LAC 33:VII.10525.D.13.

At the appropriate time, please submit this pile configuration change as part of the permit modification due for the new equipment.

If you have any questions, please contact Dennis Duszynski at (504) 765-0249.

Sincerely,

William J. Mollere
Administrator
Solid Waste Division

WJM:DD:dd

OFFICE OF SOLID AND HAZARDOUS WASTE • SOLID WASTE DIVISION • P.O. BOX 82178 • BATON ROUGE, LOUISIANA 70884-2178

TELEPHONE (504) 765-0249 • FAX (504) 765-0299 • E-MAIL ADDRESS solid@deq.state.la.us

AN EQUAL OPPORTUNITY EMPLOYER



recycled paper



Exhibit 11

Waste Tire and Waste Tire Material Storage Capacity Calculations

Client Name: EIR

Project Title: Standard Waste Tire Permit Renewal Application - Response to NOD No. 4

Subject: Waste Tire and Waste Tire Material Storage Capacity Calculations

Project No: EIR-001

Calculated By: WPL

Checked By: JEF

Date: 11/13/07

**Purpose:**

Show that proposed whole tire rectangular piles & tire shred pyramid piles do not exceed the Facility's maximum storage capacity.

References:

- 1) U.S. EPA Region 5. Solid Wastes. Scrap Tires. *Scrap Tire Cleanup Guidebook*. Online Posting. 2007.
<http://www.epa.gov/reg5rcra/wptdiv/solidwaste/tires/>. 7 June 2007.

Solution:**1) Determine maximum amount of stored tires (shredded and whole).**

| | | | |
|---|---|-----------|-----|
| a. Average daily passenger tire equivalency (PTE) | = | 6,275 | PTE |
| b. Average daily weight (# PTE x 20 lbs/PTE) | = | 125,500 | lbs |
| c. Maximum storage weight (Avg. daily weight x 60 days) | = | 7,530,000 | lbs |
| d. Maximum storage PTE (Max. weight / 20) | = | 376,500 | PTE |

2) Determine PTE of three (3) rectangular storage piles for whole tires.

a. 200' Waste Tire Storage Piles, $V = l \times h \times w$

| | | |
|-------------------|---------|-----------------|
| l = | 200 | ft |
| w = | 20 | ft |
| h = | 10 | ft |
| V = | 40,000 | ft ³ |
| Number of Piles = | 3 | |
| Subtotal Volume = | 120,000 | ft ³ |

b. Density range for whole tires = 160 lb/yd³ to 540 lb/yd³ (Reference 1)

Average density used for these calculations = 350 lbs/yd³ = 13.0 lbs/ft³

c. Maximum stored whole tire mass = 1,560,000 lbs = 78,000 PTE

3) Determine maximum dimensions of pyramid storage piles for tire shreds.

a. Density range for tire shreds = 600 lb/yd³ to 1,800 lb/yd³ (Reference 1)

Average density used for these calculations = 1,200 lbs/yd³ = 44.4 lbs/ft³

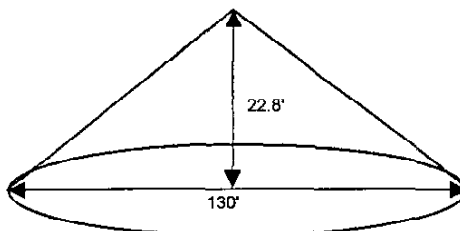
b. Maximum stored tire shred PTE = 376,500 PTE - 78,000 PTE = 298,500 PTE = 5,970,000 lbs

c. Maximum stored tire shred volume in pyramids (100%) = 134,459 ft³

d. Maximum stored tire shred volume in LARGE pyramid (75%) = 100,844 ft³

e. LARGE Pyramid Storage Pile, $V = 1/3 \times \pi \times r^2 \times h$

| | | |
|---------|-------------|-----------------|
| $\pi =$ | 3.141592654 | ft |
| r = | 65 | ft |
| h = | 22.79264532 | ft |
| V = | 100,844 | ft ³ |
| d = | 130 | ft |



Client Name: EIR

Project Title: Standard Waste Tire Permit Renewal Application - Response to NOD No. 4

Subject: Waste Tire and Waste Tire Material Storage Capacity Calculations

Project No: EIR-001

Calculated By: WPL

Checked By: JEF JEF

Date: 11/13/07



f. Maximum stored tire shred volume in SMALL pyramid (25%) = 33,615 ft³

g. SMALL Pyramid Storage Pile, $V = \frac{1}{3} \times \pi \times r^2 \times h$

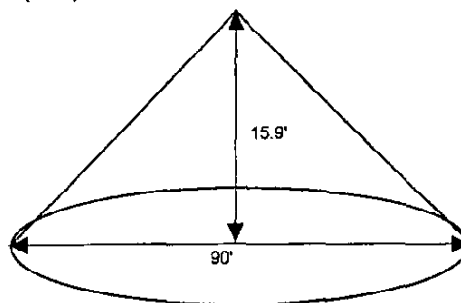
$\pi = 3.141592654$ ft

$r = 45$ ft

$h = 15.85183233$ ft

$V = 33,615$ ft³

$d = 90$ ft



References



Region 5 Waste

<http://www.epa.gov/reg5rcra/wptdiv/solidwaste/tires/>
Last updated on Monday, March 12th, 2007.

You are here: [EPA Home](#) [Region 5](#) [Waste](#) [Solid Waste](#) [Scrap Tires](#)

Scrap Tires in Region 5

The states in Region 5 are actively addressing scrap tire management. Minnesota was the first state to pass laws addressing the management of scrap tires in 1985. Wisconsin was also an early leader in scrap tire management and disposal. The Illinois EPA established a Used Tire Program that funds over 100 waste tire cleanups throughout the state each year. Indiana, Michigan, and Ohio have all developed scrap tire market development programs and financial incentives for products made from recycled scrap tires. [More information on state programs.](#)



In 2004, several states in the Great Lakes with significant remaining piles conducted complete inventories and GIS mapping of large tire piles in coordination with Region 5 and Tetra Tech EM, Inc. An informational [brochure](#) (pdf, 3 pp., 4.41 mb) was developed to highlight tire stockpile issues, the maps, and resources available to address stockpiles.

You will need Adobe Reader to view some of the files on this page. See [EPA's PDF page](#) to learn more.

Region 5 Solid Waste Program

- Municipal Solid Waste (MSW) Recycling
- Industrial Materials Recycling
- Construction and Demolition
- Scrap Tires
 - State Links
- Electronics
- Disposal
- Tribes
- Events
- Funding
- Projects
- Where You Live

National Information of Interest

- [Scrap Tires Home](#)
- [Where You Live](#)
- [Basic Information](#)
- [Frequent Questions](#)
- [Markets/Uses](#)
- [Laws/Statutes](#)
- [Grants/Funding](#)
- [Science/Technology](#)
- [Publications](#)
- [Related Links](#)

Scrap tire piles have also been recognized as potential breeding grounds for mosquitos with the [West Nile virus](#). This website provides resources about mosquito control, safety precautions, and information on insecticides.

Scrap Tire Cleanup Guidebook: To help state and local governments reduce the economic burdens and environmental risks associated with scrap tire piles on their landscapes, U.S. EPA Region 5 and Illinois EPA have collaborated to create the Scrap Tire Cleanup Guidebook. The guidebook brings together the experience of dozens of professionals in one resource designed to provide state and local officials with the information needed to effectively clean up scrap tire piles. The guidebook discusses starting a cleanup program, working with contractors to clean up sites, and implementing prevention programs that will reduce scrap tire dumping.



The Complete [Scrap Tire Cleanup Guidebook](#) is now available



Now Available - Presentations from 6 Scrap Tire Cleanup Forums

- May 18, 2006 in Rapid City, South Dakota
- May 4 and 5, 2006 in Mobile, Alabama
- April 18, 2006 in Philadelphia, Pennsylvania
 - April 20, 2005 in Louisville, Kentucky
- March 7 and 8, 2005 in Birmingham, Alabama
(There are no documents available for this forum)
 - September 1, 2004 in Lansing, Michigan
 - February 23-24, 2004 in Chicago, Illinois

Region 5 Scrap Tire**Program Coordinator:**

Chris Newman

U.S. EPA Region 5

77 W. Jackson Boulevard (DW-8J)

Chicago, IL 60604

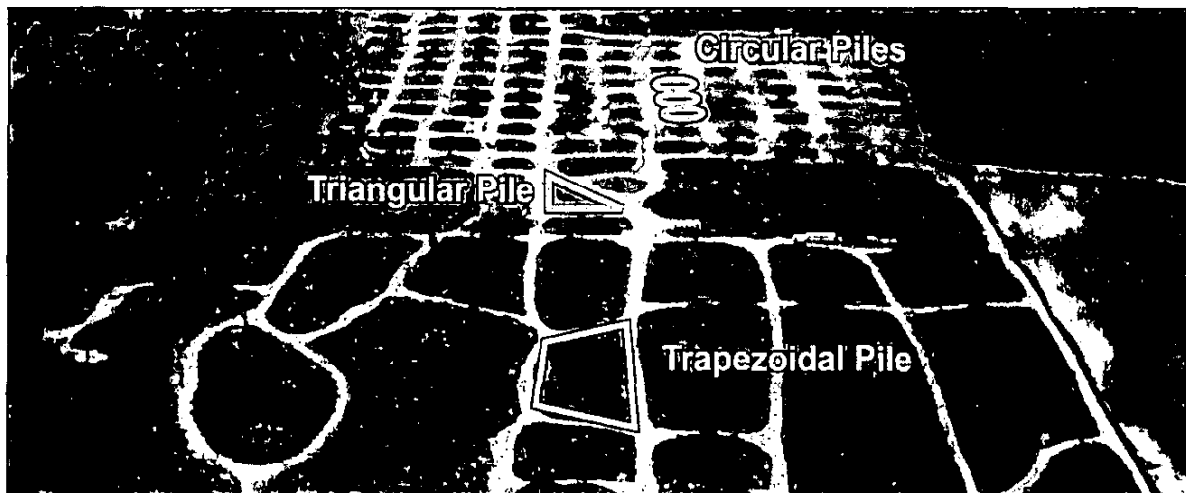
Telephone: (312) 353-8402

Fax: (312) 353-4788

E-mail: newman.christopherm@epa.gov

The volume of other common stockpile shapes can be calculated using the following formulas:

- Circle: $\pi r^2 d$ or
3.14 x circle radius x circle radius x depth
- Triangle: $\frac{1}{2} l w d$ or
 $\frac{1}{2} \times \text{length} \times \text{width at base} \times \text{depth (from base to peak of pile)}$
- Trapezoid: $\frac{1}{2} l (w_1 + w_2) d$ or
 $\frac{1}{2} \text{length} \times (\text{width at base} + \text{width at top}) \times \text{depth}$



The second step in estimating the tire quantity in a stockpile is determining the pile density, or the quantity of scrap tires contained in each cubic yard of the pile. Volume is translated into quantity or weight through assignment of a density. Because most tire stockpiles contain mixtures of various tire sizes, density is normally expressed in terms of the passenger tire equivalent (PTE), which is equal to 20 pounds by definition. Most scrap tires have roughly equivalent densities when expressed in terms of PTE/cubic yard. For instance, a medium truck tire weighs approximately 100 pounds (5 PTE) and occupies a volume equivalent to four to five passenger tires in a given stockpile. Because most abatement activities and other considerations are based on weight, the equivalency more accurately reflects future tire use, processing, and disposal.

The density of loose, shallow, whole-tire stockpiles is normally about 10 PTE /cubic yard but can range from 8 to 27 PTE/cubic yard. Densities below 10 PTE/cubic yard reflect rimmed tires that do not collapse but account for only the rubber weight under the assumption that rims will be removed before tire transport. Stacking or lacing increases the effective density to 12 to 15 PTE/cubic yard for passenger tires, and 13 to 18 PTE/cubic yard for medium truck tires. The highest density range rarely occurs but was encountered in a 40-year-old stockpile in a canyon that was over 100 feet deep near Modesto, California; the very hot climate caused the tires to be more flexible and easily compacted. Other factors that impact the density of whole-tire stockpiles are shown in the table on page 15.

The density of shredded-tire stockpiles can range from 30 to 90 PTE/cubic yard (600 to 1,800 pounds/cubic yard). The lower density range represents shallow, uncompacted piles of uniformly large particles such as single-pass shreds. The higher range represents deep stockpiles of finer tire-derived fuel (TDF) that has been heavily compacted by repeated movement of heavy equipment during stacking. The highest range represents compacted shreds with extensive dirt contamination. Major factors that impact shredded-tire stockpile density are shown in the table on page 15.

Once the stockpile volume and density have been estimated, the tire quantity (or weight) is calculated by multiplying the volume (cubic yards) by the density (PTE/cubic yard). The result is a tire quantity expressed as PTE. The tire quantity can also be expressed as a weight (tons) by dividing by

Exhibit 12

Evidence of Financial Assurance for Closure Costs

Irrevocable Letter of Credit

ADDENDUM

IRREVOCABLE LETTER OF CREDIT

Secretary
Louisiana Department of Environmental Quality
Post Office Box 4303
Baton Rouge, LA 70821
Attention: Office of Management and Finance,
Financial Services Division

Dear Sir:

We hereby establish our Irrevocable Standby Letter of Credit No. 20411 – RC in favor of the Department of Environmental Quality of the state of Louisiana at the request and for the account of EIR, Inc., 7122 Noland David Road, Port Allen, LA 70767 for the closure fund for its site identification number: RP121-4545, site name: Environmental Industries Recycling, and facility permit number: RP-0261 and agency int #15435 at Port Allen, Louisiana for any sum or sums up to the aggregate amount of (Seventy Five Thousand and No/100 U.S. Dollars) \$75,300.00 upon presentation of:

- (1). A sight draft, bearing reference to the Letter of Credit No. 20411 – RC drawn by the administrative authority, together with;
- (2). A statement, signed by the administrative authority, declaring that the operator has failed to perform closure in accordance with the closure plan and permit requirements and that the amount of the draft is payable into the Waste Tire Management Fund.

This Letter of Credit is effective as of October 6, 2006 and will expire on October 6, 2007, but such expiration date will be automatically extended for a period of at least one year on the above expiration date October 6, 2007 and on such successive expiration date thereof, unless, at least 120 days before the then-current expiration date, we notify both the Office of Management and Finance, Financial Services Division and the EIR, Inc. by certified mail that we have decided not to extend this Letter of Credit beyond the then-current expiration date. In the event we give such notification, any unused portion of this Letter of Credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both the Department of Environmental Quality and EIR, Inc. as shown on the signed return receipts.

Page two

Date: October 6, 2006

Letter of Credit No.: 20411 – RC

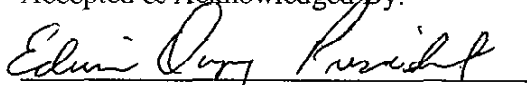
Whenever this Letter of Credit is drawn under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft to the Department of Environmental Quality for deposit into Waste Tire Management Fund in the name of EIR, Inc. in accordance with the administrative authority's instructions.

Except as otherwise expressly agreed upon, this credit is subject to the Uniform Customs and Practice for Documentary Credit (1983 Revision), International Chamber of Commerce Publication No. 400, or any revision thereof effective on the date of issue of this credit.

We certify that the wording of this Letter of Credit is identical to the wording specified in the Louisiana Department of Environmental Quality's Waste Tire Regulations, LAC 33:VII.11101.Appendix A dated August 4, 1994, effective on the date shown immediately below.

Date: October 6, 2006

Accepted & Acknowledged By:


Edwin Dupuy - President

Solid Waste Facility Trust Agreement/
Standby Trust Agreement

SOLID WASTE FACILITY TRUST AGREEMENT/STANDBY TRUST AGREEMENT

Trust Agreement, the "Agreement" entered into as of November 8, 2007 by and between EIR, Inc., a Louisiana corporation, the "Grantor", Hancock Bank of Louisiana, a state banking corporation, incorporated in the state of Louisiana, the "Trustee."

WHEREAS, the Department of Environmental Quality of the State of Louisiana, an agency of the state of Louisiana, has established certain regulations applicable to the Grantor, requiring that a permit holder or applicant for a permit of a solid waste processing or disposal facility shall provide assurance that funds will be available when needed for closure care of the facility;

WHEREAS, the Grantor has elected to establish a trust to provide all or part of such financial assurance for the facility identified herein;

WHEREAS, the Grantor, acting through its duly authorized officers, has selected Hancock Bank of Louisiana to be the trustee under this Agreement, and Hancock Bank of Louisiana is willing to act as trustee.

NOW, THEREFORE, the Grantor and the Trustee agree as follows:

SECTION 1. DEFINITIONS

As used in this Agreement:

(a). The term *Grantor* means the permit holder or applicant who enters into this Agreement and any successors or assigns of the Grantor.

(b). The term *Trustee* means the Trustee who enters into this Agreement and any successor trustee.

(c). The term *Secretary* means the Secretary of the Louisiana Department of Environmental Quality.

(d). The term *administrative authority* means the Secretary or a person designated by him to act therefor.

SECTION 2. IDENTIFICATION OF FACILITIES AND COST ESTIMATES

This Agreement pertains to the facilities and cost estimates identified on attached Schedule A.

SECTION 3. ESTABLISHMENT OF FUND

The Grantor and the Trustee hereby establish a trust fund, the "Fund", for the benefit of the Louisiana Department of Environmental Quality. The Grantor and the Trustee intend that no third party shall have access to the Fund except as herein provided. The Fund is established initially as consisting of the property, which is acceptable to the Trustee, described in Schedule B attached hereto. Such property and any other property subsequently transferred to the Trustee is referred to as the Fund, together with all earnings and profits thereon, less any payments or distributions made by the Trustee pursuant to this Agreement. The Fund shall be held by the Trustee, in trust, as hereinafter provided. The Trustee shall not be responsible nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the Grantor, any payments necessary to discharge any liabilities of the Grantor established by the administrative authority.

SECTION 4. PAYMENT FOR CLOSURE AND/OR POST-CLOSURE CARE OR LIABILITY COVERAGE

The Trustee shall make payments from the Fund as the administrative authority shall direct, in writing, to provide for the payment of the costs of closure care of the facility covered by this Agreement. The Trustee shall reimburse the Grantor or other persons as specified by the administrative authority from the Fund for closure expenditures in such amounts as the administrative authority shall direct in writing. In addition, the Trustee shall refund to the Grantor such amounts as the administrative authority specifies in writing. Upon refund, such funds shall no longer constitute part of the Fund as defined herein.

SECTION 5. PAYMENTS COMPRISED BY THE FUND

Payments made to the Trustee for the Fund shall consist of cash or securities acceptable to the Trustee.

SECTION 6. TRUSTEE MANAGEMENT

The Trustee shall invest and reinvest the principal and income of the Fund and keep the Fund invested as a single fund, without distinction between principal and income, in accordance with general investment policies and guidelines which the Grantor may communicate in writing to the Trustee from time to time, subject, however, to the provisions of this Section. In investing, reinvesting, exchanging, selling, and managing the Fund, the Trustee shall discharge his duties with respect to the trust fund solely in the interest of the beneficiary and with the care, skill, prudence, and diligence under the circumstances then prevailing which persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of like character and with like aims, except that:

(a). Securities or other obligations of the Grantor, or any owner of the facility or any of their affiliates as defined in the Investment Company Act of 1940, as amended, 15 U.S.C. 80a-2.(a), shall not be acquired or held, unless they are securities or other obligations of the federal or a state government.

(b). The Trustee is authorized to invest the Fund in time or demand deposits of the Trustee, to the extent insured by an agency of the federal or state government; and

(c). The Trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

SECTION 7. COMMINGLING AND INVESTMENT

The Trustee is expressly authorized, at its discretion:

(a). To transfer from time to time any or all of the assets of the Fund to any common, commingled, or collective trust fund created by the Trustee in which the Fund is eligible to participate, subject to all provisions thereof, to be commingled with the assets of other trusts participating therein; and

(b). To purchase shares in any investment company registered under the Investment Company Act of 1940, 15 U.S.C. 80a-1, *et seq.*, including one which may be created, managed, or underwritten, or one to which investment advice is rendered or the shares of which are sold by the Trustee. The Trustee may vote such shares at its discretion.

SECTION 8. EXPRESS POWERS OF TRUSTEE

Without in any way limiting the powers and discretion conferred upon the Trustee by the other provisions of this Agreement or by law, the Trustee is expressly authorized and empowered:

(a). To sell, exchange, convey, transfer, or otherwise dispose of any property held by it, by public or private sale. No person dealing with the Trustee shall be bound to see to the application of the purchase money or to inquire into the validity or expediency of any such sale or other disposition;

(b). To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(c). To register any securities held in the Fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing such securities with certificates of the same issue held by the Trustee in other fiduciary capacities, or to deposit or arrange for the deposit of such securities in a qualified central depository even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depository with other securities deposited therein by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or instrumentality thereof, with a Federal Reserve Bank, but the books and records of the Trustee shall at all times show that all securities are part of the Fund;

(d). To deposit any cash in the Fund in interest-bearing accounts maintained or savings certificates issued by the Trustee, in its separate corporate capacity, or in any other banking institution affiliated with the Trustee, to the extent insured by an agency of the federal or state government; and

(e). To compromise or otherwise adjust all claims in favor of, or against, the Fund.

SECTION 9. TAXES AND EXPENSES

All taxes of any kind that may be assessed or levied against or in respect of the Fund and all brokerage commissions incurred by the Fund shall be paid from the Fund. All other expenses incurred by the Trustee in connection with the administration of this Trust, including fees for legal services rendered to the Trustee, the compensation of the Trustee to the extent not paid directly by the Grantor, and other proper charges and disbursements of the Trustee shall be paid from the Fund.

SECTION 10. ANNUAL VALUATION

The Trustee shall annually, at least 30 days prior to the anniversary date of establishment of the Fund, furnish to the Grantor and to the administrative authority a statement confirming the value of the Trust. Any securities in the Fund shall be valued at market value as of no more than 60 days prior to the anniversary date of establishment of the Fund. The failure of the Grantor to object in writing to the Trustee, within 90 days after the statement has been furnished to the Grantor and the administrative authority, shall constitute a conclusively binding assent by the Grantor, barring the Grantor from asserting any claim or liability against the Trustee with respect to matters disclosed in the statement.

SECTION 11. ADVICE OF COUNSEL

The Trustee may from time to time consult with counsel, who may be counsel to the Grantor, with respect to any questions arising as to the construction of this Agreement or any action to be taken hereunder. The Trustee shall be fully protected, to the extent permitted by law, in acting upon the advice of counsel.

SECTION 12. TRUSTEE COMPENSATION

The Trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the Grantor.

SECTION 13. SUCCESSOR TRUSTEE

The Trustee may resign or the Grantor may replace the Trustee, but such resignation or replacement shall not be effective until the Grantor has appointed a successor or trustee and this successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the Trustee hereunder. Upon the successor trustee's acceptance of the appointment, the Trustee shall assign, transfer, and pay over to the successor trustee the funds and properties then constituting the Fund. If for any reason the Grantor cannot or does not act in the event of the resignation of the Trustee, the Trustee

may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instructions. The successor trustee shall in writing specify to the Grantor, the administrative authority, and the present Trustee by certified mail 10 days before such change becomes effective the date on which it assumes administration of the trust. Any expenses incurred by the Trustee as a result of any of the acts contemplated by this Section shall be paid as provided in Section 9.

SECTION 14. INSTRUCTIONS TO THE TRUSTEE

All orders, requests, and instructions by the Grantor to the Trustee shall be in writing, signed by the persons designated in the attached Exhibit A or such other persons as the Grantor may designate by amendment to Exhibit A. The Trustee shall be fully protected in acting without inquiry in accordance with the Grantor's orders, requests, and instructions. All orders, requests, and instructions by the administrative authority to the Trustee shall be in writing and signed by the administrative authority. The Trustee shall act and shall be fully protected in acting in accordance with such orders, requests, and instructions. The Trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or termination of the authority of any person to act on behalf of the Grantor or administrative authority hereunder has occurred. The Trustee shall have no duty to act in the absence of such orders, requests, and instructions from the Grantor and/or administrative authority, except as provided for herein.

SECTION 15. NOTICE OF NONPAYMENT

The Trustee shall notify the Grantor and the administrative authority, by certified mail, within 10 days following the expiration of the 30-day period after the anniversary of the establishment of the Trust, if no payment is received from the Grantor during that period. After the pay-in period is completed, the Trustee shall not be required to send a notice of nonpayment.

SECTION 16. AMENDMENT OF AGREEMENT

This Agreement may be amended by an instrument in writing executed by the Grantor, the Trustee, and the administrative authority, or by the Trustee and the administrative authority, if the Grantor ceases to exist.

SECTION 17. IRREVOCABILITY AND TERMINATION

Subject to the right of the parties to amend this Agreement as provided in Section 16, this Trust shall be irrevocable and shall continue until terminated at the written agreement of the Grantor, the Trustee, and the administrative authority, or by the Trustee and the administrative authority, if the Grantor ceases to exist. Upon termination of the Trust, all remaining trust property, less final trust administration expenses, shall be delivered to the Grantor.

SECTION 18. IMMUNITY AND INDEMNIFICATION

The Trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of this Trust, or in carrying out any direction by the Grantor or the administrative authority issued in accordance with this Agreement. The Trustee shall be indemnified and saved harmless by the Grantor or from the Trust Fund, or both, from and against any personal liability to which the Trustee may be subjected by reason of any act or conduct in its official capacity, including all reasonable expenses incurred in its defense in the event that the Grantor fails to provide such defense.

SECTION 19. CHOICE OF LAW

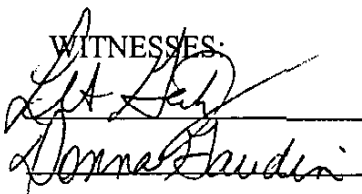
This Agreement shall be administered, construed, and enforced according to the laws of the state of Louisiana.

SECTION 20. INTERPRETATION

As used in this Agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each Section of this Agreement shall not affect the interpretation or the legal efficacy of this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their respective officers duly authorized [and their corporate seals to be hereunto affixed] and attested to as of the date first above written. The parties below certify that the wording of this Agreement is identical to the wording specified in LAC 33:VII.727.A.2.d.ix, on the date first written above.

WITNESSES:


 Donna Gaudin

Its: President

[seal]

GRANTOR:

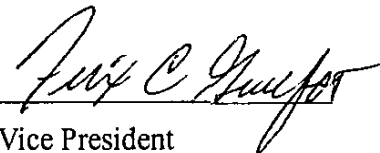
EIR, INC.

By: 

Edwin Dupuy

TRUSTEE:

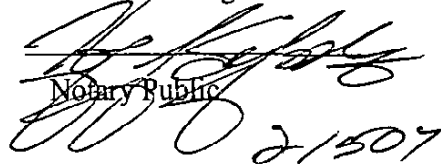
Hancock Bank of Louisiana

By: 
 Felix C. Guertel

Its: Vice President

[Seal]

THUS DONE AND PASSED in my office in East Baton Rouge, on
 the 8th day of November, 2007, in the presence of
Donna Gaudin and Les Gatz competent witnesses,
 who hereunto sign their names with the said appearers and me, Notary, after reading the whole.


 Notary Public
 2/15/07

Section 727

STATE OF LOUISIANA

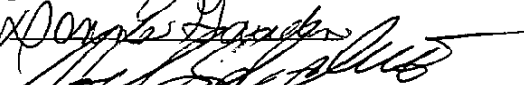
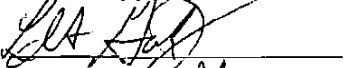
PARISH OF East Baton Rouge

BE IT KNOWN, that on this 8th day of November, 2007, before me, the undersigned Notary Public, duly commissioned and qualified within the State and Parish aforesaid, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared Edwin Dupuy, to me well known, who declared and acknowledged that he had signed and executed the foregoing instrument as his act and deed, and as the act and deed of the EIR, INC., a corporation, for the consideration, uses, and purposes and on terms and conditions therein set forth.

And the said appearer, being by me first duly sworn, did depose and say that he is the President of said corporation and that he signed and executed said instrument in his said capacity, and under authority of the Board of Directors of said corporation.

Thus done and passed in the State and Parish aforesaid, on the day and date first hereinabove written, and in the presence of Donna Gaudin and Les Gatz, competent witnesses, who have hereunto subscribed their name as such, together with said appearer and me, said authority, after due reading of the whole.

WITNESSES:



NOTARY PUBLIC

21507

SCHEDULE A

Identification of Facilities and Cost Estimates

Schedule A is referenced in the trust agreement dated 11/8/07____ by and between EIR, Inc, the "Grantor," and Hancock Bank of Louisiana, the "Trustee."

| | |
|---------------------------|--|
| EPA or Facility ID Number | RP-121-4545 |
| Name of Facility | Environmental Industries Recycling, Inc. |
| Address of Facility | 7122 Noland David Road, Port Allen, LA 70767 |
| Closure | \$75,300.00 |

SCHEDULE B

Property Deposited in Trust

This Agreement is not presently funded by shall be funded by the financial assurance document used by the Grantor in accordance with the terms of that document.

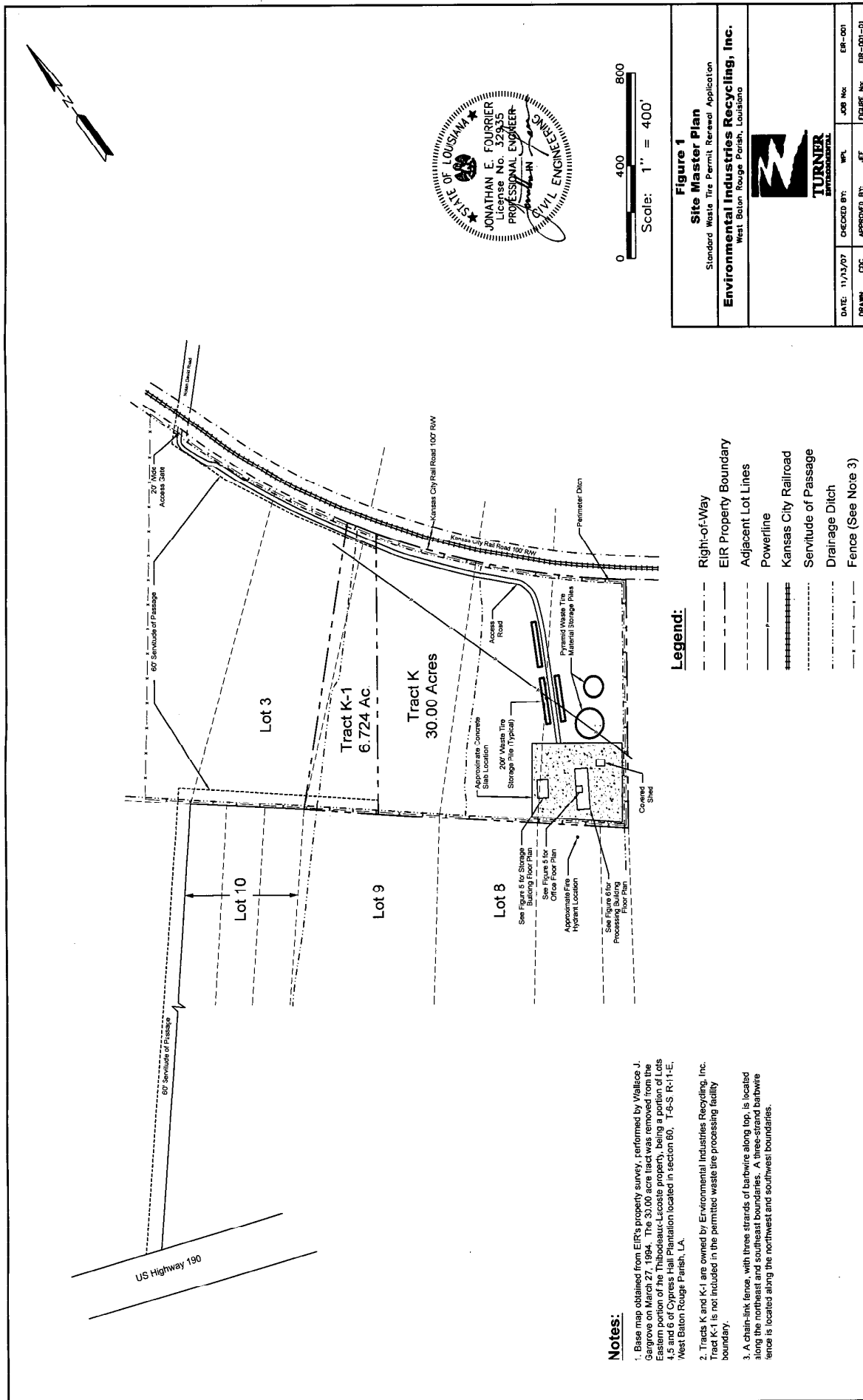
As evidenced by: *Felix C. Guelfo*
Felix C. Guelfo, II
Vice President
Hancock Bank Bank of Louisiana

EXHIBIT A
Instructions to the Trustee

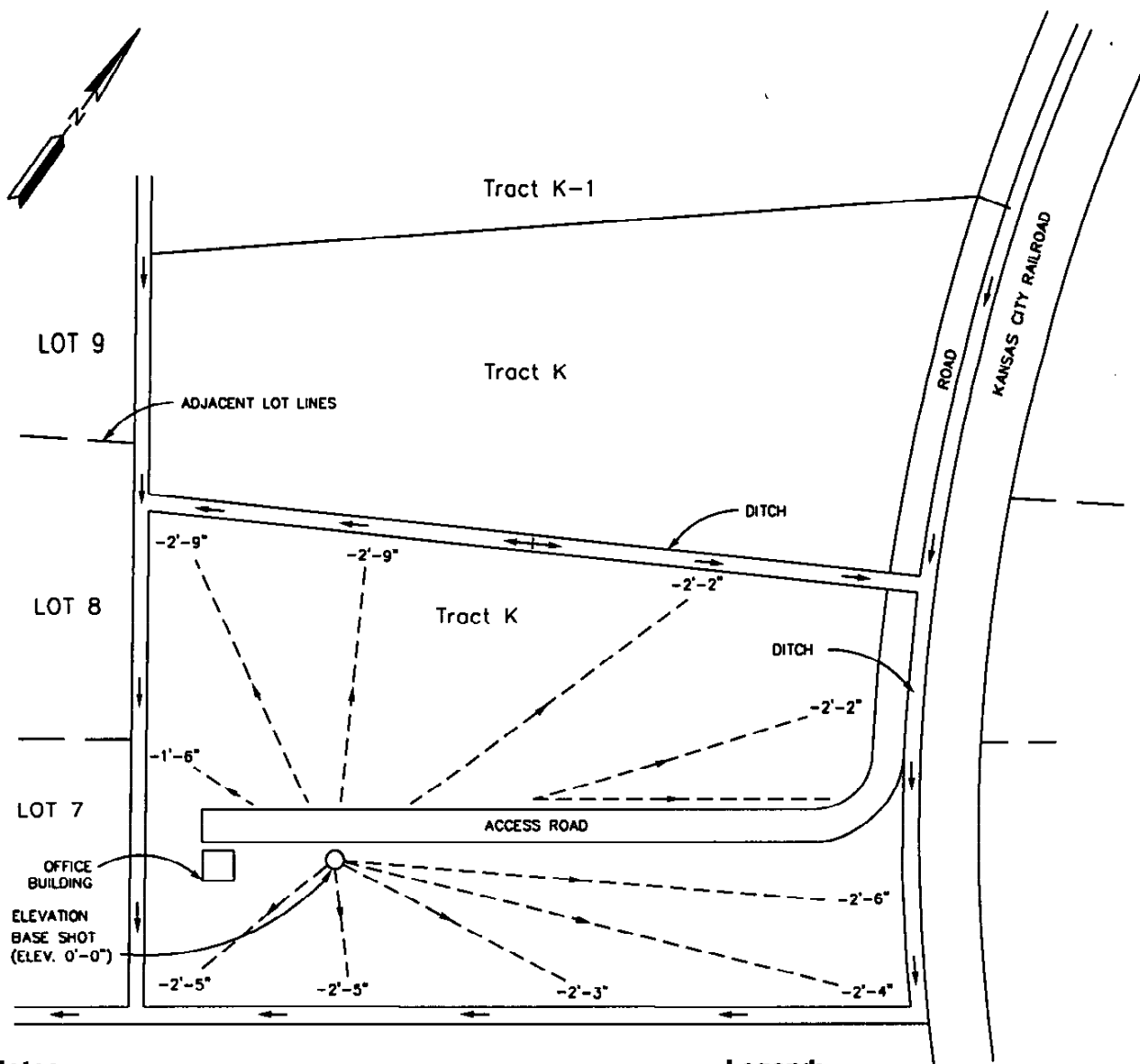
Edwin Dupuy

Edwin Dupuy

FIGURES







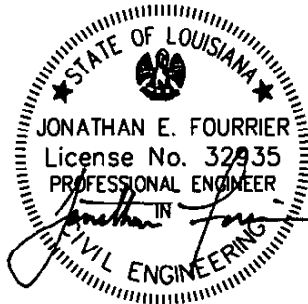
Notes:

1. Base map and drainage survey data provided by Environmental Industries Recycling, Inc.
2. Tracts K and K-1 are owned by Environmental Industries Recycling, Inc. Tract K-1 is not included in the permitted waste tire processing facility boundary.
3. Drainage flow is from the high point (0'-0") via overland flow toward the drainage ditches as shown. Stormwater within the drainage ditches flows in a southerly direction toward the south corner of the EIR property. Stormwater then flows southwest, leaving the EIR property, into the Parish Drainage System.

NOT TO SCALE

Legend:

- - - - - Stormwater Overland Flow (with Flow Direction)
- ==> Ditch (with Flow Direction)



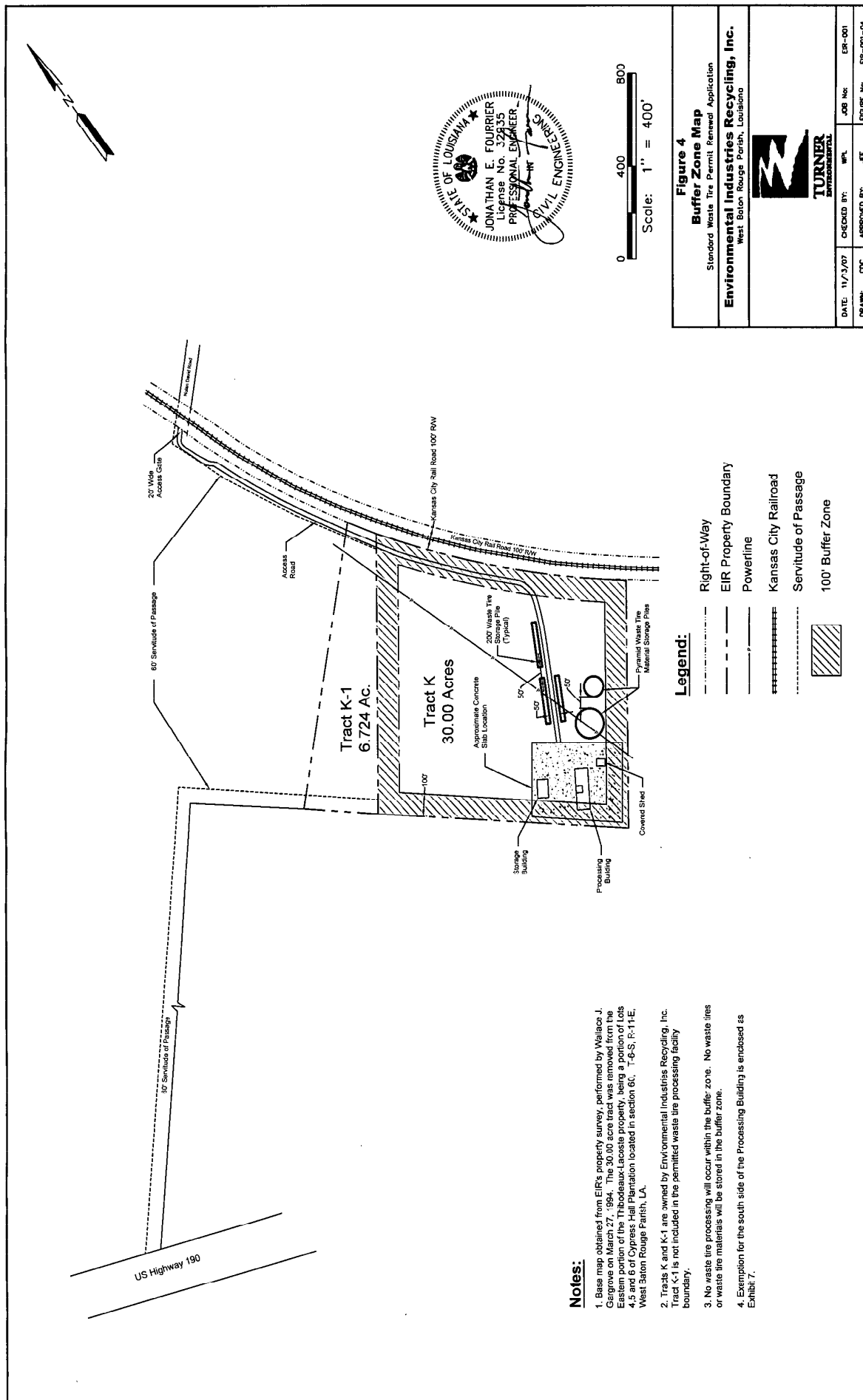
**Figure 3
Drainage Plan**


Standard Waste Tire Permit Renewal Application

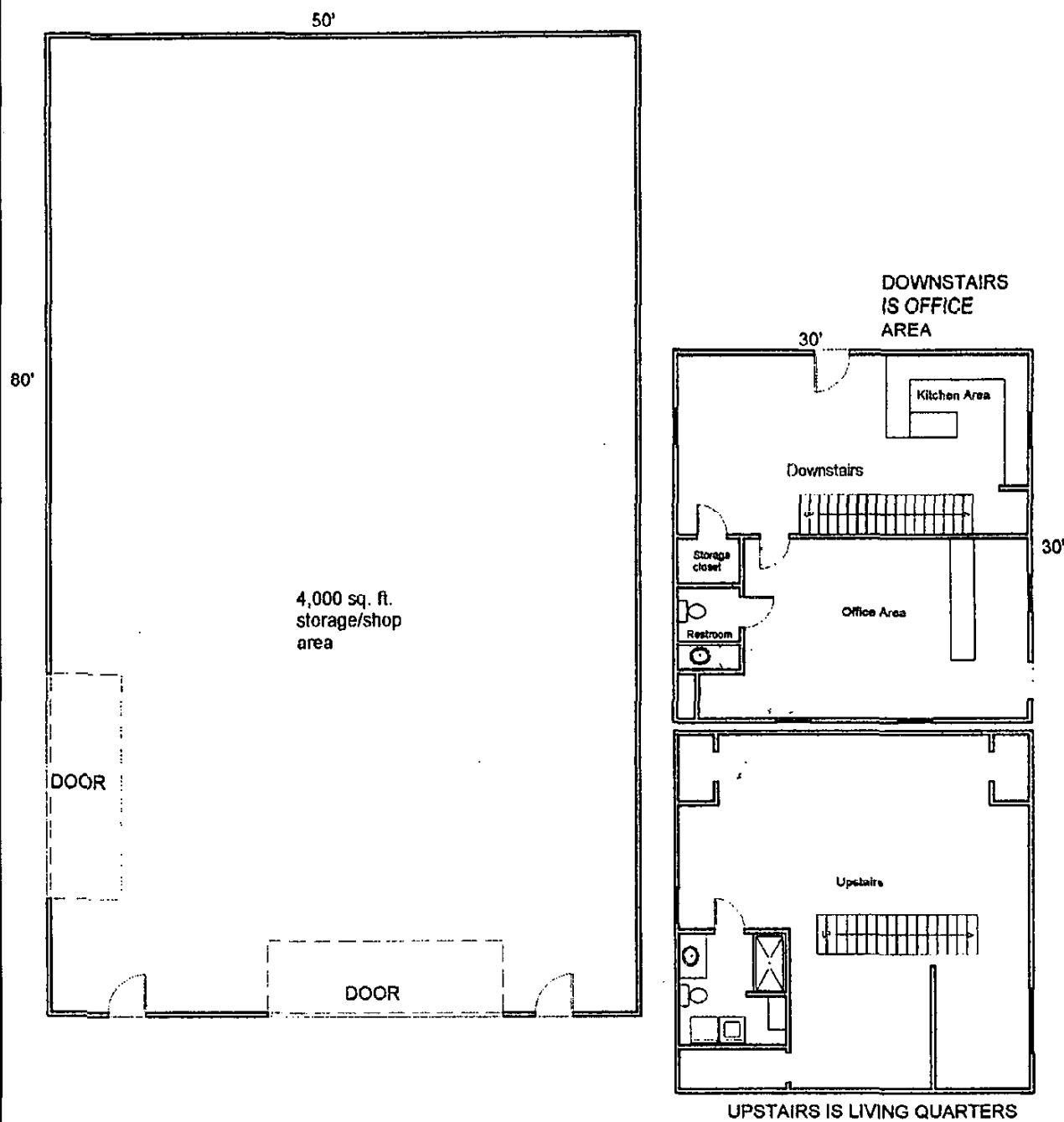
Environmental Industries Recycling, Inc.
West Baton Rouge Parish, Louisiana



| | | |
|----------------|------------------|-----------------------|
| DATE: 03/08/07 | CHECKED BY: WPL | JOB No: EIR-001 |
| DRAWN: CDC | APPROVED BY: JEF | FIGURE No: EIR-001-03 |



| | | | |
|---|------------------|----------------|----------------------|
| Figure 4 Buffer Zone Map Standard Waste Tire Permit Renewal Application | | | |
| Environmental Industries Recycling, Inc. West Baton Rouge Parish, Louisiana | | | |
|  TURNER ENVIRONMENTAL | | | |
| DATE: 11/3/07 | CHECKED BY: WFL | JOB NO: ER-001 | FIGURE NO: ER-001-04 |
| DRAWN: CDC | APPROVED BY: JEF | | |

**Note:**

Floor plan was provided by
Environmental Industries Recycling, Inc.

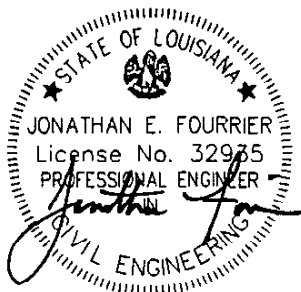


Figure 5
Office and Storage Building Floor Plan

Standard Waste Tire Permit Renewal Application

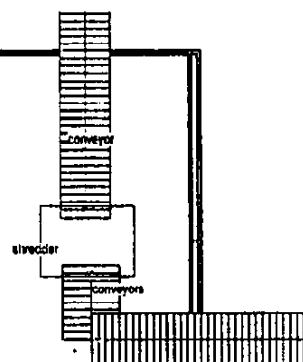
Environmental Industries Recycling, Inc.
West Baton Rouge Parish, Louisiana



TURNER
ENVIRONMENTAL

| | | |
|----------------|------------------|-------------------------|
| Date: 03/02/07 | Checked By: WPL | Job No.: EIR-001 |
| Drawn By: CDC | Approved By: JEF | Drawing No.: EIR-001-05 |

Entire area surrounding covered buildings is concrete.



Entire area surrounding covered buildings is concrete.

NOTE: All building sides are open with no exterior walls.

NOTE: All equipment is moveable and may be rearranged to maximize its use. All equipment will be located within 200' of buildings.

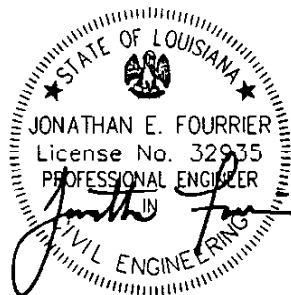
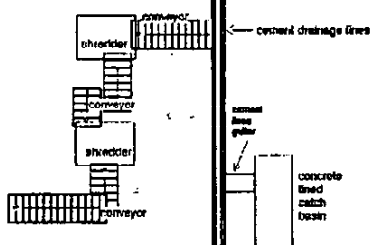
NOTE: Equipment available for use includes but is not limited to:
shredders
conveyors
tire debedders
rim crushers
tire compactors
tire cutters
or any other equipment that will benefit in processing of waste tires.

Entire area surrounding covered buildings is concrete.

Note:

Floor plan was provided by Environmental Industries Recycling, Inc.

2 LEVEL
OFFICE
AREA AND
LIVING
QUARTERS



*Measurements are approximate and are not to scale.

**Figure 6
Processing Building Floor Plan**

Standard Waste Tire Permit Renewal Application

Environmental Industries Recycling, Inc.

West Baton Rouge Parish, Louisiana



**TURNER
ENVIRONMENTAL**

| | | |
|----------------|------------------|-------------------------|
| Date: 02/28/07 | Checked By: JEF | Job No.: EIR-001 |
| Drawn By: CDC | Approved By: WTT | Drawing No.: EIR-001-06 |